Registered No. M-1.

THE FORT ST. GEORGE GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 7] MADRAS, THURSDAY, APRIL 1, 1937. [PRICE, 6 pies.

Fort St. George, April 1, 1937.

The following Royal Message has been received by His Excellency the Governor-General and is published for general information:—

To-day the first part of those constitutional reforms upon which Indians and British alike have bestowed so much thought and work comes into operation. I cannot let the day pass without assuring my Indian subjects that my thoughts and good wishes are with them on this occasion.

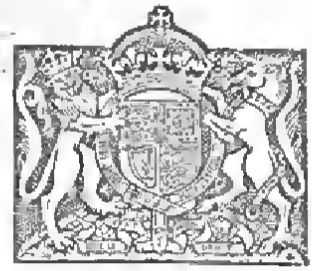
A new chapter is thus opening and it is my fervent hope and prayer that the opportunities now available to them will be used wisely and generously for the lasting benefit of all my Indian people.

(By order of His Excellency the Governor)

G. T. BOAG,
Governor's Secretary.

MADRAS: PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Registered No. M-1.



THE FORT ST. GEORGE GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 8] MADRAS, THURSDAY, APRIL 1, 1937. [PRICE, 3 as 6 p.

PUBLIC DEPARTMENT.
(Reforms.)

Fort St George, April 1, 1937
[*G.O. No. 638, Public (Reforms)*].

No. 12.—

LETTERS PATENT PASSED UNDER THE GREAT SEAL OF THE REALM CONSTITUTING THE OFFICE OF GOVERNOR OF MADRAS.

Dated 5th March 1937.

GEORGE THE SIXTH by the Grace of God of Great Britain Ireland and of the British Dominions beyond the Seas King Defender of the Faith Emperor of India:

To all to whom these presents shall come

GREETING:

WHEREAS by sections 46 and 48 of the Government of India Act, 1935, it is enacted that the Governor of Madras is appointed by Us by a Commission under Our Sign Manual:

AND WHEREAS provision is made in section 304 of the said Act for the appointment by Us of persons to act as the Governor of a Province during the absence of the Governor from India:

AND WHEREAS We are minded to make provision for the office of Our Governor of Madras:

NOW, THEREFORE, We do declare Our Will and Pleasure to be as follows:—

1. We do hereby constitute, order and declare that there shall be a Governor of Madras

2 One of Our Principal Secretaries of State, may grant to Our Governor of Madras once during his term of office leave of absence from India for urgent reasons of health or of private affairs. Such leave of absence shall not exceed four months in duration unless Our Secretary of State shall see fit to extend the period so granted, in which case he shall set forth the reasons for the extension in a minute to be signed by himself and laid before both Houses of Parliament.

3. And We do hereby require and command all Our officers, civil and military, and all other the inhabitants of Madras to be aiding and assisting unto Our said Governor

4. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter or amend these Our Letters Patent as to Us or them shall seem meet.

IN WITNESS whereof We have caused these Our Letters to be made Patent. Witness Ourself at Westminster the Fifth day of March in the First year of our Reign.

BY WARRANT UNDER THE KING'S SIGN MANUAL

SCHUSTER.

No. 13.—

INSTRUCTIONS PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET TO THE GOVERNOR OF MADRAS.

Dated 8th March 1937 GEORGE R.I.

INSTRUCTIONS to Our Governor for the time being of Madras.

GIVEN at Our Court at Buckingham Palace the Eighth day of March 1937 in the First year of Our Reign.

WHEREAS by Letters Patent bearing date the Fifth day of March, Nineteen hundred and thirty-seven, We have made permanent provision for the Office of Governor of Madras:

AND WHEREAS by those Letters Patent and by the Act of Parliament passed on the second day of August, Nineteen hundred and thirty-five and entitled the Government of India Act, 1935 (hereinafter called "the Act"), certain powers, functions and authority for the government of the Province of Madras are declared to be vested in the Governor as Our Representative:

AND WHEREAS, without prejudice to the provision in the Act that in certain regards therein specified the Governor shall act according to instructions received from time to time from Our Governor-General, and to the duty of Our Governor to give effect to instructions so received, We are minded to make general provision regarding the due manner in which Our said Governor shall [illegible] all things which, according to the Act and the said Letters Patent, belong to his Office, and to the trust which We have reposed in him:

AND WHEREAS a draft of these Instructions has been laid before Parliament in accordance with the provisions of sub-section (1) of section fifty-three of the Act and an Address has been presented to Us by both Houses of Parliament praying that instructions may be issued in the terms of these Instructions:

NOW, THEREFORE, We do by these Our Instructions under Our Sign Manual and Signet declare Our pleasure to be as follows:—

A.—INTRODUCTORY.

I. Under these Our Instructions, unless the context otherwise require, the term "Governor" shall include every person for the time being acting as Governor according to the provisions of the Act.

II. Our Governor for the time being shall, with all due solemnity, cause Our Commission under Our Sign Manual appointing him to be read and published in the presence of the Chief Justice for the time being, or, in his absence, other Judge, of the High Court of the Province.

III. Our said Governor shall take the oath of allegiance and the oath for the due execution of the Office of Our Governor of Madras, and for the due and impartial administration of justice, in the form hereto appended, which oaths the Chief Justice for the time being, or in his absence any Judge, of the High Court, shall, and he is hereby required to, tender and administer unto him.

IV. And We do authorise and require Our Governor, by himself or by any other person to be authorised by him in that behalf, to administer to every person appointed by him to hold office as a member of the Council of Ministers the oaths of office and of secrecy hereto appended.

V. And We do further direct that every person who under these Instructions shall be required to take an oath may make an affirmation in place of an oath if he has any objection to making an oath.

VI. And whereas great prejudice may happen to Our service by the absence of Our Governor, he shall not quit India during his term of office without having first obtained leave from Us under Our Sign Manual or through one of Our Principal Secretaries of State.

B.—In regard to the Executive Authority of the Province.

VII. In making appointments to his Council of Ministers Our Governor shall use his best endeavours to select his Ministers in the following manner, that is to say, to appoint in consultation with the person who in his judgment is most likely to command a stable majority in the Legislature those persons (including so far as practicable members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among his Ministers.

VIII In all matters within the scope of the executive authority of the Province, save in relation to functions which he is required by or under the Act to exercise in his discretion, Our Governor shall in the exercise of the powers conferred upon him be guided by the advice of his Ministers, unless in his opinion so to be guided would be inconsistent with the fulfilment of any of the special responsibilities which are by the Act committed to him, or with the proper discharge of any of the functions which he is otherwise by or under the Act required to exercise in his individual judgment; in any of which cases Our Governor shall, notwithstanding his Ministers' advice, act in exercise of the powers by or under the Act conferred upon him in such manner as to his individual judgment seems requisite for the due discharge of the responsibilities and functions aforesaid. But he shall be studious so to exercise his powers as not to enable his Ministers to rely upon his special responsibilities in order to relieve themselves of responsibilities which are properly their own.

IX. Our Governor shall interpret his special responsibility for the safeguarding of the legitimate interests of minorities as requiring him to secure, in general, that those racial or religious communities for the members of which special representation is accorded in the Legislature, and those classes of the people committed to his charge who, whether on account of the smallness of their number or their primitive condition or their lack of educational or material advantages or from any other cause, cannot as yet fully rely for their welfare upon joint political action in the Legislature, shall not suffer, or have reasonable cause to fear, neglect or oppression. But he shall not regard as entitled to his protection any body of persons by reason only that they share a view on a particular question which has not found favour with the majority.

Further, Our Governor shall interpret the said special responsibility as requiring him to secure a due proportion of appointments in Our Services to the several communities, and, so far as there may be in his Province at the date of the issue of these Our Instructions an accepted policy in this regard, he shall be guided thereby, unless he is fully satisfied that modification of that policy is essential in the interests of the communities affected or of the welfare of the public.

X. In the discharge of his special responsibility for the securing to members of the public services of any rights provided for them by or under the Act and the safeguarding of their legitimate interests Our Governor shall be careful to safeguard the members of Our Services not only in any rights provided for them by or under the Act or any other law for the time being in force, but also against any action which, in his judgment, would be inequitable.

XI. The special responsibility of Our Governor for securing in the sphere of executive action any of the purposes which the provisions of Chapter III of Part V of the Act are designed to secure in relation to legislation shall be construed by him as requiring him to differ from his Ministers if in his individual judgment their advice would have effects of the kind which it is the purpose of the said Chapter to prevent, even though the advice so tendered to him is not in conflict with any specific provision of the Act.

XII. Our Governor shall construe his special responsibility for the protection of the rights of any Indian State as requiring him to see that no action shall be taken by his Ministers which would imperil the economic life of any State, or affect prejudicially any

right of any State heretofore or hereafter recognised, whether derived from treaty, grant, usage, sufferance or otherwise: and he shall refer to Our Governor General any questions which may arise as to the existence of any such right.

XIII. In the framing of rules for the regulation of the business of the Provincial Government Our Governor shall ensure that, amongst other provisions for the effective discharge of that business, due provision is made that the Finance Minister shall be consulted upon any proposal by any other Minister which affects the finances of the Province: and further that no reappropriation within a Grant shall be made by any Department other than the Finance Department, except in accordance with such rules as the Finance Minister may approve; and that in any case in which the Finance Minister does not concur in any such proposal the matter shall be brought for decision before the Council of Ministers.

He shall further in those rules make due provision to secure that prompt attention is paid to any representation received by his Government from any minority.

XIV. Having regard to the powers conferred by the Act upon Our Secretary of State to appoint persons to Our service if, in his opinion, circumstances arise which render it necessary for him so to do in order to secure efficiency in irrigation, Our Governor shall make it his care to see that he is kept constantly supplied with information as to the conduct of irrigation in his Province in order that he may, if need be, place this information at the disposal of Our Governor-General.

XV. In the exercise of the powers by law conferred upon him in relation to the administration of areas declared under the Act to be Excluded or Partially Excluded Areas, or to the discharge of his special responsibility for the safeguarding of the legitimate interests of minorities, Our Governor shall, if he thinks this course would enable him the better to discharge his duties to the inhabitants of those areas or to primitive sections of the population elsewhere, appoint an officer with the duty of bringing their needs to his notice and advising him regarding measures for their welfare

C.—Matters affecting the Legislature.

XVI. In determining whether he shall in Our name give his assent to, or withhold his assent from, any Bill Our Governor shall, without prejudice to the generality of his power to withhold his assent on any ground which appears to him in his discretion to render such action necessary or expedient, have particular regard to the bearing of the provisions of the Bill upon any of the special responsibilities imposed upon him by the Act.

XVII. Without prejudice to the generality of his powers as to reservation of Bills, Our Governor shall not assent in Our name to, but shall reserve for the consideration of Our Governor-General, any Bill of any of the classes herein specified, that is to say:—

(a) any Bill the provisions of which would repeal or be repugnant to the provisions of any Act of Parliament extending to British India;

(b) any Bill which in his opinion would, if it became law, so derogate from the powers of the High Court as to endanger the position which that Court is by the Act designed to fill;

(c) any Bill regarding which he feels doubt whether it does, or does not, offend against the purposes of Chapter III of Part V or section 299 of the Act;

(d) any Bill which would alter the character of the Permanent Settlement.

And in view of the provisions in this clause of these Our Instructions, it is Our will and pleasure that if his previous sanction is required under the Act to the introduction of any Bill

of the last-mentioned description Our Governor shall not withhold that sanction to the introduction of the Bill.

XVIII. It is Our will that the power vested by the Act in Our Governor to stay proceedings upon a Bill, clause or amendment in the Provincial Legislature in the discharge of his special responsibility for the prevention of grave menace to peace and tranquillity shall not be exercised unless, in his judgment, the public discussion of the Bill, clause or amendment would itself endanger peace and tranquillity.

XIX. It is Our will and pleasure that the seats in the Legislative Council to be filled by the nomination of Our Governor shall be so apportioned as in general to redress, so far as may be, inequalities of representation which may have resulted from election, and in particular to secure representation for women and the Scheduled Castes in that Chamber.

D.—General.

XX. And generally Our Governor shall do all that in him lies to maintain standards of good administration; to promote all measures making for moral, social and economic welfare and tending to fit all classes of the population to take their due share in the public life and government of the Province; and to secure amongst all classes and creeds co-operation, goodwill and mutual respect for religious beliefs and sentiments; and he shall further have regard to this Instruction in the exercise of the powers by law conferred upon him in relation to matters whether of legislation or of executive government.

XXI. And We do hereby charge Our Governor to communicate these Our Instructions to his Ministers and to publish the same in his Province in such manner as he may think fit.

APPENDIX.

Form of Oath of Allegiance.

I, , do swear that I will be faithful and bear true allegiance to His Majesty, King George the Sixth, Emperor of India, His Heirs and Successors, according to law.

So help me God.

Form of Oath of Office.

I, , do swear that I will well and truly serve Our Sovereign, King George the Sixth, Emperor of India, in the Office of , and that I will do right to all manner of people after the laws and usages of India, without fear or favour, affection or ill-will.

So help me God.

Form of Oath of Secrecy for Ministers.

I, , do swear that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration, or shall become known to me as a Minister in Madras, except as may be required for the due discharge of my duties as such Minister or as may be specially permitted by the Governor in the case of any matter pertaining to the functions to be exercised by him in his discretion.

So help me God.

NOTIFICATIONS.

Fort St. George, April 1, 1937
[G.O. No. 638, Public (Reforms)].

No. 14.—

I, John Francis Ashley, Lord Erskine hereby appoint with effect from forenoon of the 1st April 1937 the following gentlemen to be members of my Council of Ministers, namely :—

(1) Rai Bahadur Sir Kurma Venkata Reddi Naraidu, K.C.I.E.
(2) M.R.Ry. Rao Bahadur A. T. Pannirselvam Avargal.
(3) M.R.Ry. Raj Kumar M. A. Muthayya Chettiyar Avargal of Chettinad.
(4) Khan Bahadur P. Kalifullah Sahib Bahadur.
(5) M.R.Ry. Rao Bahadur Mudai Chinnathambi Raja Avargal.
(6) M.R.Ry. R. M. Palat Avargal.

Erskine,
Governor of Madras.

Fort St. George, April 1, 1937
[G.O. No. 640, Public (Reforms)].

No. 15.—

In supersession of all previous orders on the subject His Excellency the Governor is pleased to direct that with effect from the 1st April 1937 the distribution of business among the departments of the Secretariat will be as shown in the annexure to these proceedings.

ANNEXURE.

DISTRIBUTION OF BUSINESS AMONG THE DEPARTMENTS OF THE SECRETARIAT.

Chief Secretariat (Public Department).

Provincial subjects—
Agency tracts.
Assumption of office by Governor.
Business and Secretariat Rules.
Business of Government—Distribution among Departments of the Secretariat.
Cabinet—Arrangements for meetings.
Civil List—Preparation.
Committees and conferences not pertaining to any other department of the Secretariat.
Correspondence—Objectionable—Censorship.
Criminal Investigation Department other than Establishment.
Elections to the Provincial Legislature including election offences and disputed elections.
Examinations—Government—Departmental—Board of Examiners.
Foreign Governments and Indian States—Correspondence with.
General—Questions of a general nature which can not be allotted to any particular department.
Government House—
(i) Establishments—
Band.
Bodyguard.
Governor's Secretary's office.
Medical.
Military Secretary's office.
(ii) Grants—
Contract.
Furniture.
Sumptuary.
Tour.
(iii) Personal staff of the Governor.
(iv) Works—
Construction.
Maintenance and furnishing.
Government Servants' Conduct Rules.
Handbook of Procedure and Precedents.
High Court Judges—Leave.
Holidays.
Indian Civil Service and listed posts.
Internal security.
Islands—Laccadives, Amindivi and Minicoy.
Judicial and Executive functions—Separation of.
Land returns—General questions.
Legislative bodies (other than Madras)—Proceedings—Marking of subjects for the perusal of Members of Government.
Legislative Council and Legislative Assembly.
Madras Public Service Commission.
Magistrates (other than Honorary) suspension, removal.
Ministers—Appointments and resignation.
Newspapers and Periodicals—Perusal of.
Office procedure.
Officers—European—Casualty report.
Ootacamund, Stonehouse Hill—Move to and from.
Petition Rules.
Political Handbook.
Political offences—Prosecutions.
Precedence—Warrant of—
Darbari Zamindars.
Prisoners, State.
Public peace—Disturbance of—Religious or communal disputes.
Public Services—
Communal representation—General questions.
General questions and communications of enquiry.
Notification (including exemptions).
Revised scales of pay.
Service associations.
Services under the control of the Local Government—
Statutory rules to regulate the method of recruitment, conditions of service, pay, allowances and pension—General revision and amendments of existing rules.
Special tests—General questions and exemptions.
Statutory Rules and Orders—
Civil Services (Classification, Control and Appeal) Rules.
Superior Civil Services Rules.
Subordinate Services—
Discipline and Appeal Rules.
Passage Rules.

Chief Secretariat (Public Department)—*cont.*

Provincial subjects—*cont.*
Reports—
Administration, Presidency.
Fortnightly.
Matters of political and administrative importance.
Returns—Next of kin.
Secretariat—
Buildings.
Central Issue Branch.
Central Records Branch.
Establishment.
Library.
Manual.
Telegrams—Reuters and News Agency.
Visits—
Commander-in-Chief.
Distinguished foreigners.
Flag Officer, Commanding Royal Indian Navy.
Governors of other provinces.
Indian Chiefs.
Naval Commander-in-Chief.
Viceroy.
Warships, British and foreign.
Concurrent subjects—
Periodicals, Newspapers, books and Printing Presses—Control of.
Federal subjects—
Conduct of elections to the Federal legislature including election offences and disputed elections.
Consuls—
British.
Foreign.
Council of State—Nomination of members.
Defence of India—
Army in India Reserve of Officers.
Auxiliary and Territorial forces.
Ex-army men.
Movement of troops.
Naval, military and air forces in India.
Ecclesiastical affairs.
External affairs.
Federal Public Services.
Federal Public Service Commission.
French Settlements in India.
Indian Chiefs and States.
Naval, Military and air force works.
Political charges.
Political detenus from Indian States.
Political Pensions.
Preventive detention for reasons of State connected with defence, external affairs, or the discharge of the functions of the Crown.
Reforms.
Regulation of ceremonials, titles, orders, precedence and civil uniform.
Relations with States in India.
Territorial Changes.

Home Department.

Provincial subjects—
Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organisation of courts within the province—
Additional and Assistant Sessions Judges.
Bench courts.
Civil courts including High Courts.
Civil Rules of Practice.
Criminal appeals.
Criminal justice report.
Criminal powers.
Criminal Rules of Practice.
Honorary Magistrates.
Presidency Magistrates and Courts.
Remission and commutation of sentences.
Betting and gambling—except State lotteries.
Breach of Contract Act.
Carbide of calcium.
Child Marriage Restraint Act.
Children Act.
Cinematograph Act.
Civil law.
Control of motor vehicles—
Motor Vehicles Act.
Control of vehicles other than mechanically propelled vehicles.
Coroners.
Criminal lunatics.
Discharged Prisoners' Aid Society.
Exhausts.
Hackney Carriages Act.
Immoral traffic.
Indian Bar Councils Act.

Home Department—cont.

Provincial subjects—cont.

Jails—
Borstal institutions.
Jails and sub-jails.
Prisoners' leave.
Reformatories.
Justices of Peace.
Kazis Act.
Law officers.
Madras Motor Vehicles Taxation Act.
Malabar and Rampa Rebellion prisoners.
Petitions for mercy from sentences of death.
Petitions from convicts including Port Blair convicts.
Police including C.I.D. (Establishment) railway police and village police.
Preventive detention and persons subject to such detention.
Prisoners.
Prisons Act and rules thereunder.
Provincial law reports
Stage Carriages Act.
Theatres, dramatic performances and cinematographs.
Village Courts Act.

Concurrent subjects—
Administrator-General and Official Trustee.
Adoption.
Arbitration.
Bankruptcy and insolvency.
Cinematograph films for exhibition.
Civil procedure including the law of Limitation and all matters included in the Code of Civil Procedure at the date of the passing of the Government of India Act, 1935
Criminal law including all matters included in the Indian Penal Code at the date of the passing of the Government of India Act, 1935.
Criminal procedure including all matters included in the Code of Criminal Procedure at the date of the passing of the Government of India Act, 1935.
Criminal tribes.
European Vagrancy Act.
Evidence and oaths.
Indian Christian Marriage Act.
Indian Persons Act.
Infants and minors.
Insolvency Act and Rules.
Jurisdiction and powers of all courts except the Federal Court, with respect to any of the matters in the concurrent legislative list.
Marriage and divorce.
Mechanically propelled vehicles.
Persons subject to preventive detention under Federal authority.
Poisons and dangerous drugs
Prevention of Cruelty to Animals Act.
Prisoners and accused persons—Removal from one unit to another unit.
Recognition of laws, Public Acts and records and judicial proceedings.
Royal Humane Society
Transfer of property other than agricultural land.
Trusts and trustees.
Wills, intestacy and succession save as regards agricultural land.

Federal subjects—
Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India, subjects of any Federated State, or British subjects domiciled in the United Kingdom.
Arms, firearms, ammunition and explosives.
Central Intelligence Bureau.
Extradition including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.
Foreign musions.
Migration within India.
Naturalization.
Passports including certificates of identity and visas
Petroleum and other liquids and substances declared by Federal law to be dangerously inflammable so far as regards possession, storage and transport.
Pilgrimages to places beyond India including Hedjas.

Home Department—cont.

Federal subjects—cont
Police—Extension of the powers and jurisdiction of members of a Police force belonging to any part of British India to any area in another Governor's Province or Chief Commissioner's Province and the extension of the powers and jurisdiction of the members of a police force belonging to any unit to railway areas outside that unit.
State lotteries

Finance Department.

Provincial subjects—
Accounts, provincial (including classification and prescription of units).
Annual financial statement (Budget).
Appropriation Accounts and Auditor-General's report thereon.
Audit of receipts and accounts of stores and stock.
Commercial accounts.
Economies in expenditure.
Famine Relief Fund.
Federal taxes and duties in which the provinces are interested, such as, income-tax, Federal excises, etc.
Financial rules.
Fundamental Rules (including revised Leave Rules).
Loans and advances.
Local Fund Audit.
Provincial balances
Public debt of the province including borrowings from the Government of India.
Reappropriations.
Re-employment of civil pensioners.
Secretariat—Cash Bureau.
Service Pensions (excluding provident funds).
Supplementary statements of expenditure.
Taxation and allied measures—Initiation of.
Travelling Allowance Rules.
Treasury Rules.
Ways and means.

Federal subjects—
Corporation tax.
Currency, coinage and legal tender
Federal pensions, that is to say, pensions payable by the Federation or out of Federal revenues.
Indian Audit and Accounts Service Examination.
Post Office Savings Bank.
Public debt of the Federation.

Revenue Department.

Provincial subjects—
Board of Revenue (general).
City Tenants' Protection Act.
Constitution of districts, divisions and taluks.
Court of Wards and Zamindars—
Impartible Estates Act.
Deputy Collectors.
District Gazettes and Gazetteers.
Duties in respect of succession to agricultural land.
Estates Land Act
Excise duties on the following goods manufactured or produced in India—
(a) Alcoholic liquors for human consumption.
(b) Opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs
(c) Medicinal and toilet preparations containing alcohol, opium, etc
Famine relief.
Floods.
Inams.
Irrigation (minor works)—
Minor irrigation establishments.
Minor irrigation works.
Navigation.
Water-rate.
Land revenue administration as described under the following heads, namely:—
Alienation of land revenue.
Assessment and collection of land revenue.
Buildings.
Colonization and disposal of Crown lands.
Establishment.
Land improvement and agricultural loans

Revenue Department—cont.

Provincial subjects—cont.
Land revenue administration as described under the following heads, namely:—cont.
Laws regarding land tenures—Easements—Relations of landlord and tenant—Collection of rents—Transfer and devolution of agricultural land.
Maintenance of land records—Survey for revenue purposes—Records of rights.
Management of Government estates.
Miscellaneous.
Revenue Recovery Act.
Lands—
Acquisition.
Alienation.
Assignment.
Encroachment.
Land records.
Military lands.
Railway lands.
Transfer of lands between Central and Provincial Governments.
Malabar Tenancy Act.
Pensions—Hereditary not being political.
Pounds and prevention of cattle trespass.
Procedure in rent and revenue courts.
Production, manufacture, possession, transport, purchase and sale of intoxicating liquors, opium and other drugs and narcotics.
Registration.
Seaports.
Settlement—Kistbandi.
Special funds.
Stamp duty on documents—Rates of.
Survey—Boundary disputes.
Taxes on agricultural income.
Transfer of villages.
Treasure trove.
Treasuries.
Village accounts.
Village establishments.
Water-supply.
Yeomiahs.

Concurrent subjects—
Recovery in a Governor's province or a Chief Commissioner's province of claims in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such, arising outside that province.
Registration of deeds and documents.
Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.

Federal subjects—
Duties in respect of succession to property other than agricultural land.
Excise duties on tobacco and other goods manufactured or produced in India except those assigned to the provinces.
Lands vested in or in the possession of His Majesty for the purposes of the Federation.
Opium so far as regards cultivation and manufacture or sale for export.
Salt.
Stamp duty—Rates of—in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts.
Survey of India.

Development Department.

Provincial subjects—
Agriculture including agricultural education.
Agricultural statistics.
Cinchona.
Co-operative societies.
Depressed classes and labour.
Development of industries.
Economic conditions including wages and prices (famine relief).
Emigration and Immigration.
Fisheries.
Forests, including ryots' and panchayat forests.
Marketing.
Markets and fairs.
Mines and oil fields and development of mineral resources.
Money-lending and money-lenders.
Protection of wild animals and birds.
Statistics for purposes of provincial matters.
Taxes on mineral rights.
Trade and commerce.
Unemployment, relief of the poor.
Unincorporated trading associations.

Development Department—cont.

Provincial subjects—cont.
Veterinary department.
Weights and measures.

Concurrent subjects—
Contracts, including partnership, agency, contracts of carriage and other special forms of contract.
Factories.
Indian Partnership Act.
Industrial and labour disputes.
Prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting animals or plants.
Statistics for the purpose of any of the matters in the concurrent field.
Trade unions.
Unemployment insurance.
Welfare of labour—
Employer's liability and workmen's compensation.
Provident funds.

Federal subjects—
Banking—Conduct of banking business by corporations.
Botanical survey.
Census.
Cheques, bills of exchange, promissory notes and other like instruments.
Corporations—Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations, but not including co-operative societies.
Customs duties including export duties.
Development of industries where development under Federal control is declared by Federal Law to be expedient in the public interest.
Fishing and fisheries beyond territorial waters.
Geological survey.
Import and export across customs frontiers.
Indian Companies Act.
Insurance—The law of insurance and the conduct of insurance business.
Inventions, designs, trade marks and merchandise marks.
Meteorology—Federal organizations.
Mines and oil fields and mineral development—Regulation of (to the extent to which such regulation and development under Federal control is declared by Federal Law to be expedient in the public interest) and Regulation of labour and safety in mines and oil fields.
Provident insurance societies.
Reparation.
Standards of weight.
Statistics for the purpose of any of the Federal matters.
Tariffs.
Taxes on the capital of individuals or of companies.
Zoological survey.

Local Self-Government Department.

Provincial subjects—
Appeals from employees of Local Boards and Municipal Councils other than educational, medical and public health staff.
Burials and burial-grounds other than European cemeteries.
Capitation taxes, taxes on professions, trades, callings and employments.
Cesses on the entry of goods into a local area.
Charities and charitable institutions.
Choultries.
Corporation of Madras.
Inns and inn-keepers.
Lunatic asylums including Tripicane Poor House.
Local boards—General administration and all matters relating to them not specifically assigned to other departments.
Local bodies—Audit reports of.
Local self-government including village administration and panchayats.
Minapur Choultry.
Municipal councils—General administration and all matters relating to them not specifically assigned to other departments.
Religious and charitable endowments.
Taxes on animals.
Taxes on land and buildings, hearths and windows.
Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.
Taxes on the sale of goods and on advertisements.
Tolls.

Local Self-Government Department—*contd.*

Provincial subjects—*contd.*
Town-planning.
Towns Nuisances Act.
Tramways within municipalities.

Federal subjects—
Local self-government in cantonment areas.

Education and Public Health Department

Provincial subjects—
Adulteration of foodstuffs and other articles.
Appeals from educational, medical and public health staff employed under the Local Board and Municipal Councils.
Books—
Copyright—
Registration of.
Books and periodicals—Questions relating to their purchase and supply to public offices
Certificate of age and qualification
Civil Orphan Asylum.
Education including European and Anglo-Indian education and educational questions relating to the Corporation of Madras and local bodies
Epigraphy.
Examinations except Public Service Notification and Board of Examiners.
Government Presses.
Hospitals and dispensaries.
Libraries.
Literary, scientific, religious and other societies and associations.
Liveries and clothing.
Madras Record Office.
Medical administration including medical questions relating to the Corporation of Madras and local bodies.
Museums.
Pilgrimages within British India
Places of Public Resort Act.
Preservation and translation of ancient manuscripts.
Provincial gazetteers
Public health including public health questions relating to the Corporation of Madras and local bodies
Publicity—Free or concessional supply of Government publications
Registration of births, deaths and marriages.
Sanitation.
Stationery and printing.
Stores—Rules and general questions.
Translators to Government.
Vital statistics
Zoological gardens.

Concurrent subjects—
Health insurance, including invalidity pensions, old age pensions
Legal, medical and other professions
Lunacy and lunatic asylums.
Prevention of the extension from one unit to another of infectious or contagious diseases affecting men.

Federal subjects—
Ancient and historical monuments
Archæology.
Copyright.
Federal agencies and institutes for research, for professional or technical training, or for the promotion of special studies
The Imperial Library, the Indian Museum and any other similar institution controlled or financed by the Federation.

Public Works Department

Provincial subjects—
Canals—Irrigational and navigable.
Drainage and embankments, water-storage and water-power
Gas and gas works.
Hydro-electric schemes.
Inland waterways and traffic thereon.
Irrigation—Major works.
Minor ports.
Minor railways, light and feeder railways.
Public works (buildings, roads, bridges, ferries, ropeways, etc.).
Railway—Accidents.
Railway lands—Jurisdiction.
Rivers—Conservancy.
Taxes on boats
Tramways—Extra-municipal.
Works and buildings vested in or in the possession of His Majesty for the purposes of the province.

Concurrent subjects—
Rulers.
Electricity.
Shipping and navigation on inland waterways as regards mechanically propelled vessels, carriage of passengers and goods on inland waterways.

Federal subjects—
Air craft and air navigation; regulation and organisation of air traffic and of aerodromes.
Carriage of passengers and goods by sea, or by air.
Cemeteries and tombs including European cemeteries.
Lighthouses including light ships and beacons.
Major ports—Constitution and powers of port authorities therein.
Marine—Maritime shipping and navigation including shipping and navigation on tidal waters; admiralty jurisdiction.
Port quarantine and [illegible] hospitals.
Posts and telegraphs including telephones, wireless, broadcasting, and other like forms of communication
Railways other than minor railways—Construction and regulation.
Taxes on railway fares and freights
Terminal taxes on goods or passengers carried by railway, water or air
Works and buildings vested in or in the possession of His Majesty for the purposes of the Federation.

Legal Department.

Acts.
Advising Government—
(a) in matters of litigations, appeals, etc ;
(b) on legal questions which are not of sufficient importance to necessitate a reference to the Advocate-General.
Bills, non-official—Scrutiny of
Government Bills—Drafting and scrutiny
Law officers—References to
Legal assistance to Government servants.
Legal and legislative publications, such as Codes, Acts, Manuals, etc.
Legislation—Secretariat work connected with.
Legislature—Rules of procedure and Standing orders of—Scrutiny
Notifications—Scrutiny of.
Subsidiary legislation, viz., Statutory Rules and Orders (other than Service Rules) and generally assist other departments in all matters of a legal nature that may be referred to it.

Fort St. George, April 1, 1937 [G.O. No. 639, Public (Reforms)].

No. 18.—

The following rules made by His Excellency the Governor under sub-section (2) of section 59 of the Government of India Act, 1935, regarding the manner of authentication of orders and other instruments are hereby published for general information.—

RULES.

1. All orders or instruments made or executed by order or on behalf of the Government of Madras shall be expressed to be made by or by order of the Governor of Madras.

2. Save in cases where an officer has been specially empowered to sign an order or instrument of the Government of Madras, every such order or instrument shall be signed

by either the Secretary, the Additional Secretary, the Joint Secretary, the Deputy Secretary, the Under Secretary, or the Assistant Secretary to the Government of Madras and such signatures shall be deemed to be the proper authentication of such order or instrument.

2. His Excellency the Governor is also pleased to direct that copies of orders and proceedings of the Government may be authenticated by Superintendents in the departments of the Secretariat in the form shown below :—

" (By order of His Excellency the Governor)

A.B.C.,
Secretary to Government.

(True copy/extract)

Forwarded to X.Y.Z.

(By order)

D.E.F.
Superintendent,
.....*Department.*"

The signature A.B.C. shall be printed or typewritten or copied, the signature D.E.F. being the actual signature of the authenticating officer.

Fort St. George, April 1, 1937 [G.O. No. 641, Public (Reforms)]

No. 17.—

Under section 305 of the Government of India Act, 1935, His Excellency the Governor has been pleased to appoint Mr. G. T. Boag, C.S.I., C.I.E., I.C.S., to be his Secretary.

Fort St George, April 1, 1937 [G.O. No. 637, Public (Reforms)].

No. 18.—

Rules under section 58 of the Government of India Act, 1935.

In exercise of the powers conferred by clauses (*a*) and (*b*) of section 58 of the Government of India Act, 1935, His Excellency the Governor of Madras in his discretion is hereby pleased to make the following rules, namely :—

1. Except as hereinafter provided, a member of a police force in the province or any other servant of the Crown therein, shall not—

(*a*) disclose, or be compelled to disclose, the source from which or the channel through which any information with respect to the operations of persons committing, or conspiring, preparing or attempting to commit such crimes as are mentioned in sub-section (1) of section 57 of the Government of India Act, 1935, has been or may be obtained ; or

(*b*) communicate or be compelled to communicate any matter, whether contained in records or otherwise, which discloses or in his opinion might, in conjunction with other circumstances or matters, result in the disclosure of, or permit to be inferred, the source from which or the channel through which any such information as aforesaid has been or may be obtained.

NOTE.—Section 58 and this rule protect also sources of information relating to *past* acts of commission of such crimes, and to *past* contrivances, preparations, and attempts to commit such crimes.

2. The provisions of rule 1 shall not apply to a disclosure or communication—

(i) by any member of the Madras District Police Force to any other member thereof or to a member of the Madras City Police Force, who is authorized by the Inspector-General of Police by a general or special direction to compel or receive such disclosure or communication ; or

(ii) by any member of the Madras City Police Force to any other member thereof or to a member of the Madras District Police Force, who is authorized by the Commissioner of Police by a general or special direction to compel or receive such disclosure or communication.

3. The provisions of rule 1 shall not apply to a disclosure or communication by any member of the Madras District Police Force or of the Madras City Police Force to any person (not being a member of either force) who is authorized by the Governor in his discretion either by a general or special direction in this behalf to receive such disclosure or communication.

4. The provisions of rule 1 shall not apply to a disclosure or communication by a person in the service of the Crown in the Province (other than a member of the Police forces referred to in rule 2) to any person who is authorized by the Governor in his discretion either by a general or special direction in this behalf to receive such disclosure or communication.

5. The provisions of rule 1 shall not apply to a disclosure or communication by any servant of the Crown (not being a police officer) of facts ascertained by himself made to a Superintendent

of Police or District Magistrate of a district or to an officer of the Criminal Investigation Department of or above the rank of Sub-Inspector or to any police officer conducting an investigation under the Code of Criminal Procedure, 1898.

6. A servant of the Crown who is in doubt whether in any particular case he is compelled by, or permitted under the provisions of these rules to make a disclosure or communication may before making the disclosure or communication require that the matter be referred for the direction by the Inspector General of Police, Commissioner of Police or the Governor in his discretion as the case may be.

7. The provisions of rule 1 shall not apply to any disclosure or communication necessitated by the ordinary course of his duties, made by a police officer investigating, under Chapter XIV of the Code of Criminal Procedure, 1898, an offence of which information has been given under section 154 of that Code.

Directions of the Governor under rules 3 and 4 of the rules issued under section 58 of the Act.

Under rules 3 and 4 of the rules issued under section 58 of the Government of India Act, 1935 (hereinafter referred to as the said rules), His Excellency the Governor of Madras in his discretion is hereby pleased to authorize—

(i) the undermentioned authorities and officers (not being members of the police forces in the province) to receive from a member of a police force in the province any disclosure or communication referred to in rule 1 of the said rules :—

(1) The Central Intelligence Officer, Madras ;

(2) The Central Intelligence Bureau ;

(3) The Chief Secretary to the Government of Madras ;

(4) The Secretary to the Government of Madras in charge of the subject 'Police' ;

(5) A District Magistrate ;

(6) The Special Branches of other Provinces or of Indian States ;

(7) A Public Prosecutor, in accordance with the general or special directions of the Inspector-General of Police or of the Commissioner of Police, Madras City, as the case may be ;

(8) Any other officer or authority whom the Governor may by a special direction authorize in this behalf ; and

(ii) the undermentioned officers to receive from any person in the service of the Crown in the province [not being a member of a police force referred to in paragraph (i)] any disclosure or communication referred to in rule 1 of the said rules :—

(1) Any officer of or above the rank of Superintendent of Police in the Madras District Police Force or the Madras City Police Force,

(2) Any officer of the Criminal Intelligence Department, Madras, of or above the rank of a Police Sub Inspector ;

(3) Any police officer conducting an investigation under the Code of Criminal Procedure, 1898 ;

(4) The Chief Secretary to the Government of Madras ;

(5) A District Magistrate ;

(6) Any other officer or authority whom the Governor may by a special direction authorize in this behalf.

Fort St. George, April 1, 1937
[*G.O. No. 646, Public (Reforms)*].

No. 19.—In exercise of the powers conferred by the proviso to sub-section (4) of section 71 of the Government of India Act, 1935, the Governor of Madras is pleased to make the following rules for regulating the attendance before committees of either chamber of the Legislature of Madras of persons who are or have been in the service of the Crown in India, and for safeguarding confidential matter from disclosure :—

1. These rules may be called the Madras Legislature Committees (Evidence of Officials) Rules.

2. In these rules, unless there is anything repugnant in the subject or context—

(a) "Legislature" means the Legislature of Madras ;

(b) "Committee" means a committee of either chamber of the Legislature of Madras ;

(c) "Official" means a person who is or has been in the service of the Crown in India.

3. The Governor may, by general or special order, empower any official to attend a meeting of a committee of the legislature for the purpose of giving evidence relating to his official duties and/or producing any official document or class of official documents which may be necessary for the proper elucidation of the matter on which the official is required to give evidence ; and no official shall attend a meeting of a committee of the legislature for the purpose of giving evidence or of producing official documents unless he has been so empowered.

4. A requisition issued by the chairman of a committee to any official to attend a meeting of the committee for the purpose of giving evidence relating to his official duties or producing official documents shall be addressed to the Chief Secretary to Government and shall state with as much precision as may be possible the matter or matters on which the evidence of the official is required and what, if any, documents he is required to produce.

5. The official, if generally empowered in this behalf or after being specially empowered under rule 3, shall appear before the committee, and shall take with him all documents which are relevant to the matter or matters on which his evidence is required, and which he has been authorised to produce by general or special order under rule 3. If, notwithstanding such authorization, he considers that any evidence which he is asked to give, or any document which he is required to produce, should, in the public interest, not be given or produced, he shall make at the appropriate moment a statement to that effect before the committee, and, if he has not already received orders on the matter, he shall refer it, through proper official channels,

to the Minister in charge of the department to which the case belongs, who shall refer it for the orders of the Governor.

6. Nothing contained in any Act passed by the Madras Legislature which provides for the punishment on conviction before a court of persons who refuse to give evidence or produce documents before a committee shall be deemed to subject an official to punishment on the ground that he has failed to give evidence relating to his official duties, or to produce an official document before a committee, or that he has failed to appear before a committee to give such evidence or produce such documents.

7. In the discharge of his functions under these rules the Governor shall exercise his individual judgment.

8. These rules shall be subject to the provisions of any rule made under section 58 of the Government of India Act, 1935.

Fort St. George, April 1, 1937
[G.O. No. 648, Public (Reforms)].

No. 20.—

Under sub-section (3) of section 175 of the Government of India Act, 1935, His Excellency the Governor of Madras is pleased to direct that the undermentioned classes of deeds, contracts and other instruments shall be executed as follows:—

1. All deeds and instruments relating to any matters other than those specified in heads 2 to 37 below.	By a Secretary to Government.
2. Contracts and other instruments for the purchase, supply, conveyance or carriage of building materials, stores, machinery, etc., and the provision of labour for building or other work and such like engagements.	By Collectors of districts, Sub-Collectors, Assistants and Deputy Collectors in charge of divisions and Tahsildars in charge of taluks; Inspector-General, Deputy Inspectors-General and Superintendents of Police; Commissioner of Police, Madras; Inspector-General of Prisons; Inspector-General of Registration; Superintendent of Stamp-papers; Presidency Post Office; and Port Officer, and the Director of Fisheries.
3. To the case of Treasuries and other public offices. (a) Short-term deeds given as security in connexion with the employment of officers as Treasurers and Sub-Treasurers and agreements which form with such deeds.	By Collectors of districts.
(b) Mortgage deeds given as security in connexion with the employment of Treasurers, Cashiers or Clerks in Offices other than District Treasuries and Sub-Treasuries, charged with the distribution of money or the custody and handling of securities.	By the head of the office.
(c) Instruments relating to the re-assignment of insurance policies which are assigned to the Governor in accordance with the rules regulating the General Provident Fund.	By the Account Officer of the Fund as declared by the rules of the Fund.
(d) Deeds of reconveyance of security given by Sheristadars in District Treasuries and Sub-Treasuries.	By Collectors of districts.
4. In the case of the Public Works Department (subject to any limitations by departmental rules):—	
(a) All deeds and instruments relating to purchase, supply and conveyance or carriage of sand, rock, stores, machinery, etc.	By Secretary to Government, Public Works Department, Chief Engineers, Superintending Engineers, Superintendents of Works, Divisional Officers, Subdivisional Officers in the Roads and Buildings and Irrigation branches.
(b) All instruments relating to the execution of works of all kinds connected with buildings, bridges, roads, canals, tanks, reservoirs, docks, harbours and irrigation works and also instruments relating to the execution of Naval works, storage works, the erection of boundaries and the working of coal mines.	
(c) Bonds or engagements and security bonds for the due performance of their duties by those employed or under whom the officers specified have power to appoint.	
(d) Leases for grazing or the cultivation of lands or for the temporary occupation of land as for the temporary erection of buildings, as well as notices of relinquishment and other instruments connected with such leases; provided that no lease for a period exceeding one year shall be granted in relation to any land which is required for the purposes of agriculture.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Divisional Officers and Subdivisional Officers in the Roads and Buildings and Irrigation branches.
(e) Leases of houses, land or other immovable property provided that the rent reserved shall not exceed Rs. 5,000 a month.	
(f) All instruments connected with the realisation of properties given as security.	
(g) Instruments connected with the collection or farming of tolls at bridges or ferries or other means of communication provided by the Local Government.	By Collectors of districts.
(h) Agreements for the recovery of dues on account of theft, wreck or other similar passing into a canal.	By Chief Engineers, Superintending Engineers, Superintendents of Works and Divisional Officers in the Irrigation Branch.
(i) Agreements relating to the loan of tools and plant to contractors or others.	By Executive Engineers.
(j) All deeds and instruments relating to grant or cultivation other than those specified in heads (a) to (i).	By Secretary to Government, Public Works Department.
5. Contracts and other instruments relating to the Forest Department.	By Chief Conservator of Forests, Conservator of Forests, Collectors of districts, Deputy Conservators of Forests, Assistant Conservators of Forests and Forest Engineer.
6. Contracts and other instruments relating to the Jail Department.	By the Inspector-General of Prisons and Chief Inspector of Certified Schools.
7. Agreements as regards provisions and jails relating to the Cinchona Department.	By Director, Cinchona, Neduvattam.
8. Agreement for the supply of lubricants to the Cinchona Department.	By the Superintendent in charge of the Plantation, Cinchona Department.
9. Agreement for the supply of cattle food issues relating to the Veterinary Department, Agreements for the purchase and disposal of animals required for the Senaur Indigenous Cattle Breeding Farm, Hosur.	By the Director of Veterinary Services.
10. Registering and prospecting licenses and all mining and other leases whether registered and sealed, and forests of forests provided for.	By Collectors of districts.
11. Leases of houses, land and other immovable property concerning the Registration Department.	By the Inspector-General of Registration.
12. Contracts and other instruments relating to the Medical Department.	By the Surgeon-General with the Government of Madras.
13. Contracts and other instruments relating to the Public Health Department.	By the Director of Public Health, Madras.
14. Agreements with nurses, ayahs trained in Government medical institutions.	By the Superintendents of the teaching institutions concerned.
15. Security bonds for the due performance of their duties by Government servants in the Medical department.	By the Officers in charge of the institutions in which the Government servants are employed.
16. Contracts for the supply of articles procured in the local markets for medical institutions, including hospitals.	By the Officers in charge of institutions.
17. Contracts and other instruments relating to land deeds.	By the Town Commissioners.
18. Contracts and other instruments relating to matters connected with the Educational Department.	By the Director of Public Instruction.
19. Security bonds for the due performance of their duties by Government servants whom the Presidency Post Officer, Madras, has power to appoint.	By the Presidency Post Officer, Madras.
20. Contracts and other instruments relating to matters connected with the Department of Fisheries:—	
(a) If within a limit of value not exceeding Rs. 1,000;	By the Assistant Director of Fisheries.
(b) If within a limit of value exceeding Rs. 1,000 but not exceeding Rs. 5,000.	By the Director of Fisheries.
21. All contracts deeds and other instruments in matters connected with the administration and working of the Excise Department and with the business of the Excise Department generally;	By the Commissioner of Excise or by the Assistant Commissioner of Excise or Collector of the district within his powers in general subordinative capacity to or who is responsible for carrying out the terms of the contract, deed or instrument.
22. Contracts or agreements for the supply of survey instruments.	By the Joint Secretary, Board of Revenue.
23. Contracts or agreements for the supply of leasor articles and sale rights.	By the Officer in charge of the Central Survey Office.
24. Contracts or agreements for the supply of demarcation stones.	By the Officers in charge of Survey Parties.
25. Contracts or agreements for the supply of cattle food required by the Agricultural Department; agreements for the consideration of works on the Agricultural College estate and all other Agricultural Buildings, agreements with contractors for the supply of grass, straw, cowdung and grazing fees, contracts for the supply of seeds, agricultural implements, fruits, flowers and plants, seeds for cultivation of land, agreements with contractors for the cultivation of land on the Agricultural College estate and agreements with dealers for manure, potash, lubricants for the cultivation of land, agreements with contractors for manufacturing implements and agreements with contractors for manufacturing of Ghee, Cheese by the Agricultural Research Station and other like purposes.	By Director of Agriculture.
26. Contracts of this description of Industrial Seed Farm Industries.	By Deputy Director of Agriculture.
27. All contracts deeds and other instruments connected with the establishment and working of the Electricity Department etc.	By the Chief Engineer for Electricity.
28. Contracts and steps with agents to be connected with the supply of steel and wooden articles and other materials used in the Electricity Department.	By the Engineer-in-charge, Pykara Scheme, the Engineer-in-charge, Mettur Scheme, and the Executive Engineers of the Electricity Department.

PUBLISHED BY AUTHORITY

29. Deeds of reconveyance of properties mortgaged to Government as security for loans granted to co-operative building societies, and transfer of the share certificates of the Central Land Mortgage Bank for Rs. 500	By the Registrar of Co-operative Societies.
30. Contracts relating to the purchase on behalf of the Government of property put up for sale by auction under the rules framed under the Madras Co-operative Societies Act, 1932.	By sale officers as defined in the rules under the Madras Co-operative Societies Act, 1932.
31. Contracts and other instruments relating to purchases made for the Government Stores and issue of rubber found produce in Guindy Park Reserve	By the Military Secretary to His Excellency the Governor.
32. Contracts and other instruments connected with the investigation of water-supply and drainage schemes and lease of houses for accommodating officers of Deputy Sanitary Engineers.	By the Sanitary Engineer to Government.
33. Contracts and other instruments relating to the Factories Department.	By the Commissioner of Labour and Rural Uplift.
34. Agency agreements and leases of lands in the Industries Department.	By the Director of Industries.
35. Contract relating to the lease of the building for accommodating the office of the Madras Public Service Commission.	By the Chairman, Madras Public Service Commission.
36. Contracts relating to lease for the occupation of private buildings to accommodate the offices of Settlement Parties.	Officers in charge of Settlement Parties.
37. Agreements with forest panchayats	By Board of Revenue and Collectors of districts.

Fort St. George, April 1, 1937
[*G.O. No.* 647, *Public (Reforms)*].

No. 21.—

In exercise of the powers conferred by section 241 (1) (*b*) of the Government of India Act, 1935, His Excellency the Governor of Madras is pleased to direct that the authorities to whom the power to make appointments has been delegated by rules and orders which were in force immediately before the commencement of Part III of the Act will continue to exercise that power.

Fort St. George, April 1, 1937
[*G.O. No.* 642, *Public (Reforms)*].

No. 22.—

Under sub-section (1) of section 265 of the Government of India Act, 1935, read with regulation 4 of the Madras Public Service Commission Regulations, 1937, His Excellency the Governor of Madras is pleased to appoint—

(a) Sir R. D. Richmond, *Kt.*, C.I.E., to be Chairman of the Madras Public Service Commission for a period of three years ;

(b) Mr M. Ruthnaswamy, B.A., B.L., to be Member of the said Commission for a period of three years ; and

(c) M.R.Ry. Rao Bahadur M. Narasimham Pantulu Garu, to be Member of the said Commission for a period of three years.

Fort St. George, April 1, 1937
[*G.O. No.* 638, *Public (Reforms)*].

No. 23.—

In exercise of the powers conferred by sub-section (2) of section 265 and sub-section (3) of section 266 of the Government of India Act 1935 and in supersession of the regulations published with Public (Reforms) Department Notification No. 8, dated the 1st May 1936, at pages 636–638 of Part I of the *Fort St. George Gazette*, dated the 5th May 1936, as subsequently amended, His Excellency the Governor of Madras is pleased to make the following regulations :—

PART I—PRELIMINARY

1. These regulations may be called the Madras Public Service Commission Regulations, 1937.

2. In these regulations, unless there is anything repugnant in the subject or context—

(*a*) "Act" means the Government of India Act, 1935;

(*b*) "Commission" means the Madras Public Service Commission established under the Act, and

(*c*) "Member" means a Member of the Commission and includes the Chairman thereof.

PART II—COMPOSITION, CONDITIONS OF SERVICE, ETC., OF THE COMMISSION AND ITS STAFF

3. The Commission shall consist of a Chairman and two other Members.

4. (1) A Member shall hold office for a period of five years from the date of his first appointment to the Commission :

Provided that the Governor may—

(*a*) allow any Member to continue in office after the expiry of the said period of five years for such further period not exceeding five years at a time, as he may think fit, or

(*b*) fix a shorter term of office than five years—

(i) in the case of a Member who immediately before his appointment as such, was a Member of the Commission established under the Madras Public Service Commission Act, 1930, and

(ii) in any other case, for special reasons.

(2) The Governor may at any time, remove any Member from office, on the ground of misbehaviour or of infirmity of mind or body, or for any other sufficient reason.

(3) A Member may by resignation under his hand addressed to the Governor resign his office.

5. (1) There shall be paid to the Chairman a salary calculated at the rate of three thousand rupees per mensem and to each of the other Members a salary calculated at the rate of two thousand rupees per mensem.

(2) Nothing in this regulation shall prevent a Chairman or other Member, who at the time of his appointment as such is a retired Government servant from drawing his pension from Government in addition to his salary under this regulation.

6. (1) A Member who at the date of his appointment to the Commission was in the service of the Crown in India may be granted leave under the Fundamental Rules, or the Madras Leave Rules, as the case may be, and his service as Member shall count for such leave.

(2) A Member who at the date of his appointment to the Commission was not in the service of the Crown in India may be granted leave as follows :—

(*a*) Leave on leave salary equivalent in full pay up to one-eleventh of the period spent on duty as a Member, subject to a maximum of four months at any one time and subject to a maximum leave salary of three thousand rupees per mensem in the case of the Chairman and two thousand rupees per mensem in the case of any other Member.

(*b*) Leave on medical certificate on leave salary equivalent to half pay up to a total period of three months.

(*c*) Extraordinary leave without allowances, subject to a maximum of three months at any one time.

Explanation.—All, or any two, of these kinds of leave may be granted in combination at any one time.

(3) Nothing in this regulation shall operate to deprive any Member who immediately before his appointment as such was a Member of the Commission established under the Madras Public Service Commission Act, 1930, of any leave which had already accrued to him.

7. A Member shall not be eligible for any passage benefits :

Provided that

(*a*) a Member who at the date of his appointment to the Commission was in the service of the Crown in India, and was entitled to passage benefits under the Superior Civil Services Rules, shall continue to be eligible for such benefits during his service as Member; and

(*b*) a Member who at the date of his appointment to the Commission was not in the service of the Crown in India, shall, if he had been entitled before such appointment, to passage benefits under the Superior Civil Services Rules, be eligible for passage benefits equivalent to those which lapsed to Government under rule 14 of Schedule IV to those rules.

8. A Member shall be entitled to travelling allowance for journeys made by him in the performance of his functions at the rates, and subject to the conditions, specified in the Madras Travelling Allowance Rules.

9. No pension shall attach to the office of Member as such but in the case of a Member who at the date of his appointment was in the service of the Crown in India, service as Member shall count for pension under the rules applicable to the service to which such Member belongs and shall, unless the Member be a member of the Indian Civil Service

or entitled to a pension under Army Regulations, also count—

(a) in the case of the Chairman, for the higher additional pension, and

(b) in the case of the other Members, for the lower additional pension,

under Article 475-A, Civil Service Regulations.

10. There shall be a Secretary and an Assistant Secretary to the Commission, who shall be appointed by the Commission with the previous approval of the Governor.

11. (1) There shall be paid—

(a) to the Secretary, a monthly salary calculated in the scale of Rs. 500—100/2—1,000, and

(b) to the Assistant Secretary, a monthly salary calculated in the scale of Rs. 500—50/2—750.

Provided that the Secretary or Assistant Secretary shall, if he was holding the post of Secretary, or as the case may be, of Assistant Secretary, to the Commission established under the Madras Public Service Commission Act, 1930, immediately before the date of coming into force of these regulations, be entitled to pay at the rates admissible to him under the regulations in force immediately before the said date.

(2) The initial salary of a person appointed as Secretary or Assistant Secretary to the Commission shall be fixed in accordance with the provisions of the Fundamental Rules for the time being in force, and the previous sanction of the Governor shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those rules.

(3) The Commission shall not, without the previous sanction of the Governor, grant any premature increment of pay to a person holding the post of Secretary or Assistant Secretary.

12. Subject to the provisions of regulation 11, the Secretary and Assistant Secretary to the Commission shall, in the matter of their pay, allowances including travelling allowances, leave, leave salary, pensions and other conditions of service be governed by the Fundamental Rules, the Madras Travelling Allowance Rules and the Pension Rules for the time being in force:

Provided that where any person holding the post of Secretary or Assistant Secretary to the Commission has elected to be governed by the provisions of the Civil Service Regulations, those provisions shall apply to him.

13. Nothing contained in these regulations shall adversely affect any person who immediately before the 1st day of April 1937 was holding the office of Secretary or Assistant Secretary to the Commission established under the Madras Public Service Commission Act, 1930; and if any such person is so affected in respect of any matter, he shall, in respect of such matter, be governed by the regulations, rules and orders, if any, which were applicable to him immediately before the said date.

14. (1) Subject to the provisions of regulation 15, the Commission may in its discretion employ, in addition to the Secretary and the Assistant Secretary, such persons as it may deem necessary for the effective discharge of its functions and on such scales of pay as it may determine.

(2) The initial salary of any person so employed shall be fixed in accordance with the provisions of the Fundamental Rules for the time being in force, and the previous sanction of the Governor shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those rules.

(3) The conditions of service of persons employed by the Commission under this regulation shall, save as expressly provided therein, be the same as those prescribed by the Provincial Government in respect of Government servants holding corresponding appointments elsewhere than in the office of the Commission.

15. The Commission may, and it is hereby empowered to, incur expenditure up to an aggregate sum of seventy-five thousand rupees per annum—

(a) for the employment of the persons whom it is authorized to employ under regulation 14;

(b) towards contingencies, supplies and services; and

(c) towards other expenses connected with its work including the travelling allowances of the Members of the Commission, the Secretary, the Assistant Secretary and other members of its staff.

16. In respect of any matter for which special provision is not made by these regulations, the conditions of service of a person serving as a Member of the Commission or of its staff shall be governed by the rules and orders applicable to such classes of Government servants as shall be specified by the Governor.

17. Notwithstanding anything contained in regulations 10 and 14, persons who on the 31st March 1937 were members of the staff of the Commission established under the Madras Public Service Commission Act, 1930, shall continue to be members of the staff of the Commission established under the Act, and it shall not be necessary to reappoint them to their respective posts.

PART III—MATTERS IN RESPECT OF WHICH IT SHALL NOT BE NECESSARY FOR THE COMMISSION TO BE CONSULTED.

18. It shall not be necessary for the Commission to be consulted—

(a) as respects any of the matters mentioned in paragraphs (a) to (e) of sub-section (3) of section 266 of the Act, in the case of officers of His Majesty's Forces holding posts in connexion with the affairs of the Province;

(b) as respects any of the matters mentioned in paragraphs (c) and (d) of sub-section (3) of section 266 of the Act, in the case of the posts specified in the Annexure;

(c) in regard to the suitability of candidates for promotion or transfer from one subordinate service to another; and

(d) in regard to the making of any appointment to—

(i) any post the appointment to which is to be made by the Governor in his discretion or exercising his individual judgment; or

(ii) any honorary post, or

(iii) any post the terms of which are to be governed by contract.

19. Where it is necessary in the public interest to fill immediately a vacancy in a post borne on the cadre of a service to which appointments have to be made after consulting the Commission, and there would be undue delay in making the appointment after such consultation, it shall not be necessary to consult the Commission for appointing a person temporarily to the said post for a period not exceeding three months on each occasion.

20. Subject to the provisions of regulation 21, it shall not be necessary for the Commission to be consulted on any disciplinary matter affecting a person serving in connexion with the affairs of the Province, except—

(a) where the Provincial Government proposes to pass an order on an appeal or revision, or

(b) where the Provincial Government proposes to pass an original order imposing any of the following penalties, namely —

(i) reduction to a lower post or time-scale, or to a lower stage in a time-scale;

(ii) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;

(iii) removal from service; or

(iv) dismissal.

Nothing contained in this regulation shall be deemed to make it necessary for the Provincial Government to consult the Commission in any case—

(a) relating to the termination of probation of any person,

(b) relating to the discharge or reversion of an officer otherwise than as a penalty,

(c) relating to the termination of the employment of any person in accordance with the terms of his contract of employment,

(d) relating to the imposition of any penalty laid down in any rule or order for failure to pass any test or examination within a specified time, or

(e) in which the Commission has, at any previous stage, given advice in regard to the order to be passed and no fresh question has thereafter arisen for determination.

21. It shall not be necessary for the Commission to be consulted in respect of any disciplinary matter affecting a person holding an office or post to which appointment is made by the Governor in his discretion or exercising his individual judgment unless such person—

(a) is a person holding the post of—

(i) the Chief Presidency Magistrate, Madras, or

(ii) the Chief Judge, Court of Small Causes, Madras, or

(iii) Assistant Sessions Judge, or

(9) is a member of the Secretarial staff of the Governor.

In the case of the Chief Presidency Magistrate, Madras, the Chief Judge, Court of Small Causes, Madras, and Assistant Sessions Judges, the provisions of regulation 20 shall apply. In the case of members of the Secretarial staff of the Governor, the said regulation shall apply with the modification that references to the Provincial Government in that regulation shall be construed as references to the authority which has power to pass original orders, or orders on appeal or revision, as the case may be.

22. It shall not be necessary for the Commission to be consulted on any memorial or petition relating to any disciplinary matter affecting a person serving in connexion with the affairs of the Province, where the Provincial Government propose to pass orders rejecting such memorial or petition.

23. It shall not be necessary for the Commission to be consulted in any case referred to in paragraph (*d*) of sub-section (3) of section 266 of the Act, if the Provincial Government or any subordinate authority competent to sanction payment of the costs of the defence proposes to admit the claim in full.

Explanation.—Nothing contained in this regulation shall be deemed to preclude a reference to the Commission being made in any case in which the Provincial Government feel a doubt as to the admissibility of a claim in whole or in part.

PART IV—GENERAL.

24. In discharging his functions under these regulations, the Governor shall act in his discretion.

ANNEXURE

[See Regulation 13 (b).]

POSTS IN RESPECT OF WHICH IT SHALL NOT BE NECESSARY FOR THE COMMISSION TO BE CONSULTED IN THE MATTER OF RECRUITMENT, APPOINTMENT, PROMOTION AND TRANSFER.

4. *Provincial Services.*

(1) Administrator-General and Official Trustee.

(2) Assistant Engineer for Marine Works at Ports other than Tuticorin and Cochin.

(3) Assistant Surgeons in the Men's section of the Madras Medical Service (General Branch) when recruited by transfer from the Madras Medical Service (Special Branch).

(4) Law Officers in the City and mufassal and Official Receivers.

(5) Law Reporters.

(6) Officers of the Madras Legislature.

(7) Personal Assistant to the Inspector of Municipal Councils and Local Boards when recruited by transfer from the Madras Civil Service (Executive Branch).

(8) Port Officers including the Personal Assistant to the Presidency Port Officer and Agent for Government Consignments.

(9) Principal, School of Indian Medicine.

(10) Secretary to Government, Legal Department, and Remembrancer of Legal Affairs.

(11) Sheriff of Madras.

(12) Surgeon to His Excellency the Governor.

(13) Under-Secretary to Government, Legal Department.

(14) Deputy Inspectors of Municipal Councils and Local Boards, when recruited by transfer of members of the Madras Civil Service (Executive Branch), or of Class IX (Assistant Secretaries to Government) of the Madras General Service.

(15) Director of Fisheries, when recruited by transfer from Category I (Superintendent of the Government Museum and Principal Librarian of the Connemara Public Library) of Class VIII of the Madras General Service.

B. Subordinate Services.

1. The following posts in the Madras Ministerial Service —

(i) Ministerial posts in the Secretarial staff of His Excellency the Governor and in the office of the Military Secretary to His Excellency the Governor.

(ii) Clerks in the Laccadive and Amindivi Islands.

(iii) Manager and clerks in the Special Branch of the Criminal Investigation Department.

(iv) Readers.

(v) Copyists.

(vi) Any post of which the pay is—

(*a*) lower than Rs. 30 a month, if on a fixed rate of pay, or

(*b*) lower than the scale of Rs. 30—3/2—45—2/2—55, if on a time-scale of pay.

(vii) Any post of lower division clerk in the Revenue Department, when such post is filled by the appointment of a person who was recruited direct as a Probationary Revenue Inspector and whose probation has been terminated for failure to pass the prescribed tests or for failure to complete his training to the satisfaction of the Collector.

2. Posts in other subordinate services, except the following, namely :—

(a) Assistant Professors and Assistant Lecturers (Men), Assistant Lecturers (Women), Licentiate School Assistants and Deputy Inspectors of Schools senior grade (Men), Licentiate School Assistants and Sub-Assistant Inspectresses (Women), in the Madras Educational Subordinate Service.

(b) Deputy Tahsildars in the Madras Revenue Subordinate Service.

(c) Forest Apprentices in the Madras Forest Subordinate Service.

(d) Inspectors in the Madras Local Fund Audit Subordinate Service.

(e) Inspectors, Research Assistants, Laboratory Assistants and Sub-Inspectors in the Madras Fisheries Subordinate Service.

(f) Posts included in the Madras Excise Subordinate Service.

(g) Posts included in the Madras Secretariat Service.

(h) Reserve Sub-Registrars in the Madras Registration Subordinate Service.

(i) Second-class Health Officers and Health Inspectors in the Madras Public Health Subordinate Service.

(j) Sub-Assistant Surgeons in the Madras Medical Subordinate Service (General Branch).

(k) Sub-Deputy Registrars and Junior Inspectors in the Madras Co-operative Subordinate Service.

(l) Supervisors in the Madras Engineering Subordinate Service.

(m) Supervisors in the Madras Industries Subordinate Service.

(n) Upper Subordinates in the Madras Agricultural Subordinate Service.

(o) Veterinary Assistant Surgeons in the Madras Veterinary Subordinate Service.

Fort St. George, April 1, 1937

[G.O. No. 643, Public (Reforms)].

No. 24.—

His Excellency the Governor of Madras is pleased to make the following rules regulating the procedure to be observed by the Commission and the relations of the Commission with the Government and subordinate authorities:—

RULES.

1. Where any competitive examination is to be conducted by the Commission for the purpose of recruitment to a provincial or subordinate service, the Commission shall—

(i) announce

(*a*) the qualifications required of the candidates for the examination,

(*b*) the conditions of admission to the examination,

(*c*) the subjects, schemes or syllabus of the examination, and

(*d*) the number of vacancies to be filled from among the candidates for the examination,

(ii) make all arrangements for the actual conduct of the examination,

(iii) arrange the candidates in order of merit on the results of the examination; and

(iv) forward a list of the candidates so arranged to the appointing authority:

Provided that if the number of candidates is not more than the number of vacancies to be filled the Commission may, instead of holding a competitive examination, interview the candidates and thereafter forward to the appointing authority, a list of the candidates whom the Commission considers suitable for appointment. Save in the case of selection for admission in the Madras Ministerial Service, the Commission shall invite the head of the department concerned to be present, or to appoint a representative to be present, at such interview, and the head of the department, or his representative so present may take part in the deliberations of the Commission but shall not be entitled to vote.

2. (1) Subject to the provisions of Part III of the Madras Public Service Commission Regulations, 1937, where recruitment to a provincial service is to be made by transfer from a subordinate service from

which such recruitment is normally made, the Commission shall—

(i) consider the claims of as many candidates, eligible in its opinion for such transfer as it considers necessary, together with any recommendations made by the head of the department, and

(ii) forward to the appointing authority a list consisting of such number, as such authority may fix, of the candidates whom the Commission considers most suitable for appointment.

Provided that where recruitment as aforesaid is to be made to the Madras Police service, or the Madras Jail Service, from the corresponding subordinate service, the Commission shall—

(i) consider the claims of the candidates nominated by the head of the department concerned, and

(ii) thereafter advise the appointing authority in respect of each candidate nominated whether his qualifications are sufficient and whether his record proves him to have the requisite character and ability for the service to which it is proposed to appoint him.

(2) When considering the suitability of candidates under this rule, the Commission shall, if it feels any difficulty in agreeing with the recommendations of the head of the department, invite the head of the department concerned to be present or to appoint a representative to be present and the head of the department or his representative to present may take part in the deliberations of the Commission but shall not be entitled to vote. It shall not be open to the head of the department or his representative to advance at such deliberations any grounds which are not already on record or which, should the Commission so required, he is not prepared to reduce to writing. A precis of the discussion duly attested by the head of the department or his representative, as the case may be, shall be maintained.

3. (1) Subject to the provisions of Part III of the Madras Public Service Commission Regulations, 1937, where recruitment to any provincial or subordinate service is to be made otherwise than under rule 1 or rule 2, the Commission shall—

(i) announce the qualifications required of candidates and the number of vacancies to be filled,

(ii) invite applications, consider all applications received and interview such candidates as it considers most suitable for appointment, and

(iii) forward to the appointing authority a list consisting of such number, as such authority may fix of the candidates whom the Commission considers most suitable for appointment.

(2) The Commission shall invite the head of the department concerned to be present or to appoint a representative to be present, at the interview referred to in sub-rule (1), and the head of the department or his representative so present may take part in the deliberations of the Commission but shall not be entitled to vote.

4. Lists of approved candidates prepared by the Commission under rule 1 or rule 3 shall be published in the *Fort St. George Gazette* in cases where the lists are drawn up in advance for the purpose of filling vacancies which are expected to arise during the year, or during any other definite period, following the preparation of the lists.

5. In the exercise of its functions under sub-section (3) of section 266 of the Government of India Act, 1935, the Commission shall observe the rules, if any, made by the Provincial Government regarding the constitution of, or recruitment to, the provincial or subordinate service concerned.

6. Every question at a meeting of the Commission shall be determined by a majority of the votes of the Members present and voting on the question, and in case of an equal division of votes, the Chairman shall have and exercise a second or casting vote.

7. If the Chairman is unable to be present at a meeting of the Commission, he shall appoint one of the other Members to act for him, and the Member so appointed shall have all the powers of the Chairman at that meeting:

Provided that unless the Chairman otherwise directs, no action shall be taken upon any decision arrived at in a meeting at which he was not present, until he has been informed of such decision; and, upon being so informed, he may direct that any such decision shall be reconsidered at a meeting at which he is present.

8. The proceedings of the Commission shall not be invalidated by reason of any vacancy in the office of the Chairman or other Member.

9. The quorum for a meeting of the Commission shall be two, but the Chairman may adjourn any business at a meeting if he is of opinion that it cannot conveniently be transacted owing to the non-attendance of any Member.

10. All decisions of the Commission shall be recorded in such manner as the Commission may direct. It shall be open to any Member who dissents from a decision to record his dissent and, if he thinks fit, his reasons for dissenting.

11. Whenever the Commission is required to give advice or to forward proposals to, or to be consulted by, any authority, the decision of the Commission shall be communicated in a letter signed by the Secretary or the Assistant Secretary and, in a case where the decision is not unanimous, neither the fact of, nor the grounds for, dissent shall be communicated unless the Chairman so directs.

12. The Commission may refer any matter to an individual Member or to a committee, consisting of Members and such other persons, if any, as the Commission may appoint, for consideration and report to the Commission.

13. The Chairman, or, in his absence, any other Member designated by him in this behalf, may deal with any urgent matter appearing to him to require immediate action. Such action shall be reported to the Commission as early as possible.

14. Where a list of candidates approved for appointment to a service or post has been prepared in consultation with the Commission, the removal of the name of any candidate from such list shall be made in consultation with the Commission.

15. In any case in which the Commission is consulted under paragraph (c) of sub-section (3) of section 266 of the Government of India Act, 1935, on any disciplinary matter or on any memorial or petition relating to such matter, the record of the case shall be forwarded to the Commission and the opinion given by the Commission shall form part of the record, and shall, unless the Governor otherwise directs, be communicated to the officer or officers concerned along with the orders of the authority empowered to pass orders on the case.

16. The Commission, may, at any time, call for any record, report or information which may in its opinion be necessary to enable it to discharge its functions, from the Provincial Government or from any head of a department or other authority subordinate to the Provincial Government, and such record, report or information shall be furnished to the Commission without undue delay by the Provincial Government or authority concerned unless the Governor certifies that the same—

(*a*) cannot be furnished without undue labour, or

(*b*) should be withheld in the public interest.

17. Within six months of the end of each financial year, the Commission shall present to the Provincial Government a report of its proceedings during such financial year.

18. In matters for which no provision is made in these rules, the Commission may regulate its proceedings in such manner as it thinks fit.

Fort St. George, April 1, 1937

[*G.O. No.* 844, *Public* (*Reforms*)].

No. 23.—

Under sub-section (3) of section 266 of the Government of India Act, 1935, His Excellency the Governor is pleased to direct that with the exception of the examinations specified below, all other departmental examinations for officers of the Provincial and Subordinate Services shall be conducted by the Madras Public Service Commission :—

(1) Police Training School Final Examination for Probationary Sub-Inspectors ;

(2) Departmental test for Port Officers and subordinates on Rs. 70–100 and above ;

(3) Equitation test for Deputy Collectors ;

(4) Survey Training and examination for Revenue Subordinates ; and

(5) Examination for members of the Madras Civil Service (Executive Branch) in Estates Land Act and the rules framed thereunder.

Fort St. George, April 1, 1937
[*G.O. No.* 646, *Public (Reforms)*]

No. 28.—

In exercise of the powers conferred by sub-section (3) of section 266 of the Government of India Act, 1935, His Excellency the Governor of Madras is pleased to make the following regulation :—

REGULATION.

Until the 4th March 1938, it shall not be necessary for the Commission to be consulted in respect of appointments to posts of Storekeepers borne on the cadre of the Madras Ministerial Service in the Electricity Department, when such appointments are made from among Storekeepers borne on the work-charged establishment of that department.

C. F. BRACKENBURY,
Chief Secretary.

(Political.)

NOTIFICATION.

Fort St. George, April 1, 1937.

No. 21 —

In exercise of the powers conferred by the second proviso to sub-section (2) of section 237 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), His Excellency the Governor is hereby pleased to direct that the following amendments shall be made in the said Act as applied to the Agency in the Presidency of Madras under Revenue Department Notification No. 224, dated 15th July 1921, published at pages 764-765 of Part I of the *Fort St. George Gazette*, dated 19th July 1921, as subsequently amended:—

AMENDMENTS.

1. In the said Act—

(i) except as otherwise expressly provided, for the words 'Local Government' wherever they occur the words 'Provincial Government' shall be substituted; and

(ii) the words "or the Government agent as the case may be" wherever they occur shall be omitted.

2. In clause (6) of section 3 of the said Act, for the words "Governor General in Council" the words "Central Legislature" shall be substituted.

3. In sub-section (3) of section 23 of the said Act for the words "officer of Government" the words "servant of the Crown" shall be substituted.

4. After sub-section (8) of section 30 of the said Act, the following sub-section shall be inserted, namely:—

"(9) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a cantonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government."

5. In section 74 of the said Act—

(i) in sub-section (1) for the words "place at its disposal the services of any Government servant" the words "place the services of any servant of the Crown employed in connexion with the affairs of the Province at the disposal of the local board", for the words "Government servant" the words "servant of the Crown", for the words "pay to the Local Government" the word "make" and for the words "payable under the rules in that behalf in force for the time being" the words "required by the conditions of his service under the Crown to be made by him or on his behalf" shall be substituted; and

(ii) in sub-section (2) for the word "Government" the words "any Government" and for the words "Local Government or the" the words "Government or" shall be substituted.

6. In clause (b) of sub-section (2) of section 75 of the said Act, for the word "Government" the words "Provincial Government" shall be substituted.

7. In section 76 of the said Act, the words "and the Government of India" shall be omitted.

8. After section 76 of the said Act, the following section shall be inserted, namely :—

Saving for certain provisions of the Government of India Act, 1935.

"76-A. Notwithstanding anything in the foregoing provisions of this Part of this Act a local board shall not, after the commencement of Part III of the Government of India Act, 1935, have power to levy any tax which the Provincial Legislature has no power to impose in the Province under that Act:

Provided that a local board which immediately before that date was lawfully levying any such tax under this Act as then in force may continue to levy that tax until provision to the contrary is made by the Central Legislature."

9. In sub-section (2) of section 110 of the said Act, the words "and the Government of India" shall be omitted.

10. In sub-section (1) of section 113 of the said Act—

(i) in the opening paragraph the words "With the previous sanction of the Government of India" shall be omitted;

(ii) at the commencement of clause (a) the words "with the previous sanction of the Provincial Government and of the Federal Railway Authority or the Central Government" shall be inserted; and

(iii) in clause (b) for the words "by the Government of India" the words "by the Central or the Provincial Government" shall be substituted.

11. In sub-section (2) of section 190 of the said Act—

(i) in clause (b) for the words "Government officers" the words "servants of the Crown employed in connexion with the affairs of the Province" shall be substituted; and

(ii) in clause (k) for the words "officers of Government" the words "servants of the Crown employed in connexion with the affairs of the Province" shall be substituted.

12. In section 225 of the said Act, for the words "or recovers be paid" the words "except in the case of a fine be paid on recovery" shall be substituted.

13 In sub-section (4) of section 225 of the said Act, for the words "Secretary of State for India in Council" the words "Provincial Government" shall be substituted.

14. In sub-section (1) of section 227 of the said Act, for the words "Secretary of State for India in Council" the words "Provincial Government" shall be substituted.

15. To section 234 of the said Act, the following proviso shall be added, namely:—

"Provided that the powers of the Provincial Government under this section shall, in relating to a dispute to which a cantonment authority is a party, only be exercisable with the concurrence of the Central Government."

16 In Schedule V to the said Act—

(i) in rule 5—

(a) under the heading "A District Funds" item (9) shall be omitted;

(b) under the heading "B Taluk Funds" items (13) and (14) shall be omitted, and

(c) under the heading "C. Union Funds" items (10) and (11) shall be omitted; and

(ii) rule 7 shall be omitted.

C. F. BRACKENBURY,
Chief Secretary.

FINANCE DEPARTMENT.

NOTIFICATIONS

Fort St. George, April 1, 1937 (G.O. No. 124, Finance).

No. 31 —

The following rules made by His Excellency the Governor under section 151 of the Government of India Act, 1935, regarding the payment of moneys into the Public Account, the withdrawal of moneys therefrom, etc., are published for general information :—

THE MADRAS TREASURY RULES.

SECTION I—SHORT TITLE AND COMMENCEMENT.

1. These rules may be called the " Madras Treasury Rules " and they shall come into force on the 1st April 1937.

SECTION II—DEFINITIONS.

2. In these rules, unless the context otherwise requires, the following expressions have the meaning hereby assigned to them, that is to say—

(*a*) " Province ", " Governor " and " Government " mean, respectively the Province, the Governor and the Government of Madras.

(*b*) " Public Account " means the Public Account of the Province, which is the consolidated fund into which moneys received on account of the revenues of the Province as defined in Section 136 of the Government of India Act, 1935, are paid or credited and from which all disbursements of, or on behalf of, the Province are met.

Note.—" Revenues of the Province " means and includes all moneys received by a Government servant on behalf of Government; not only the proceeds of taxation and the yield of ordinary revenue but also capital receipts such as sales of land, the proceeds of borrowing operations; unfunded debt; and such receipts of a banking or deposit nature as, by virtue of any statutory provision, or of any general or special executive order of Government have to be held in the custody of Government.

(*c*) " Treasury " means any treasury of the Province and includes a sub-treasury.

(*d*) " The Bank " means the Reserve Bank of India, or any branch or agency of the Reserve Bank of India and includes any branch of the Imperial Bank of India acting as the agent of the Reserve Bank of India in accordance with the provisions of the Reserve Bank of India Act, 1934 (Act II of 1934).

(*e*) "Collector " means the chief officer in charge of the revenue administration of a district.

(*f*) " Accountant-General " means the head of the office of audit and accounts subordinate to the Auditor-General of India, who keeps the accounts of the Province and exercises audit functions in relation to those accounts on behalf of the Auditor-General of India.

(*g*) " Indian Audit Department " means the officers and establishment, being in India and subordinate to the Auditor-General of India, that are employed upon the keeping and audit of the accounts of the Federation and of the Provinces, or upon one or other of these duties.

(*h*) " Finance Minister " means that one of the Governor's ministers to whom the business of finance is allocated by the Governor by whatsoever designation such person may be called.

(*i*) " The Act " means the Government of India Act, 1935.

SECTION III—LOCATION OF MONEYS STANDING IN THE PUBLIC ACCOUNT.

3. Save as provided in sub-rule (2) of rule 7 moneys standing in the Public Account must be held either in the treasury or in the Bank. Moneys deposited in the Bank shall be considered as one general fund held in the books of the Bank on behalf of the Province

The deposit of such moneys in the Bank shall be governed by the terms of the agreement made between the Governor and the Bank under section 21 of the Reserve Bank of India Act, 1934 (Act II of 1934).

SECTION IV—GENERAL SYSTEM OF CONTROL OVER TREASURY

District Treasuries

4. (1) Unless the Government, after consultation with the Accountant-General, otherwise directs in any special case there shall be a treasury in every district If moneys standing in the Public Account are, in any district, not deposited in the Bank, the treasury of that district shall be divided into two departments : a department of accounts, under the charge of an Accountant, and a cash department under the charge of a Treasurer,

(2) The treasury shall be under the general charge of the Collector, who may entrust the immediate executive control to a Treasury Officer subordinate to him but may not divest himself of administrative control. The Collector shall be responsible for the proper observance of the procedure prescribed by or under these rules and for the punctual submission of all returns required from the treasury by the Government, the Accountant-General and the Reserve Bank of India

Subject to the provisions of this rule, the respective responsibilities of the Collector and the Treasury Officer for business of the treasury shall be such as may be defined in accordance with such rules as the Finance Minister may approve, after consultation with the Accountant-General.

(3) The duty of verifying and certifying the monthly cash balance, if any, in the treasury in such manner as the Finance Minister after consultation with the Accountant-General may prescribe and of submitting the monthly accounts of such balance in such form and after such verification as the Accountant-General may require, shall be undertaken by the Collector or by such other officer as the Government may specify. It must be performed by the Collector in person at least once in every period of six months.

(4) When a new Collector is appointed to a district he shall at once report his appointment to the Accountant-General and shall certify to the Accountant-General the amount of the cash balance, if any, which he has taken over The certificate shall be submitted in such form and after such verification as the Finance Minister may, after consultation with the Accountant-General, prescribe.

(5) No portion of the responsibility for the proper management and working of treasuries shall devolve upon the officers of the Indian Audit Department. The inspection of treasuries by officers of the Indian Audit Department shall not relieve the Collector of his responsibilities for management and inspection.

Sub-treasuries.

5. If the requirements of the public business make necessary the establishment of one or more sub-treasuries under a district treasury, the arrangements for the administration thereof and for the proper conduct of business therein, shall be such as may be prescribed by the Finance Minister after consultation with the Accountant-General. The daily accounts of receipts and payments of moneys at a sub-treasury must be included in the accounts of the district treasury

Office of the Accountant-General.

6. The office of the Accountant-General may, with the consent of, and subject to such conditions as may be prescribed by the Auditor-General of India, perform all or any prescribed part of the duties of a treasury in respect of claims against the Government that may fall due for disbursement and moneys that may be tendered for credit to the public account, at the headquarters of the Government at Madras.

SECTION V—PAYMENT OF REVENUES OF THE PROVINCE INTO THE PUBLIC ACCOUNT.

7. (1) Save as hereinafter provided in this section all moneys received by or tendered to Government servants on account of the revenues of the Province, as defined in section 196 of the Act, shall without undue delay be paid in full into the treasury or into the Bank and shall be included in the Public Account. Moneys received as aforesaid shall not be appropriated to meet departmental expenditure, nor otherwise kept apart from the Public Account. No department of the Government may require that any moneys received by it on account of the revenues of the Province be kept out of the Public Account.

(2) Notwithstanding anything contained in sub-rule (1) of this rule, direct appropriation of departmental receipts for departmental expenditure is authorized in the following cases :—

(*a*) Moneys received on account of the service of summonses, diet-money of witnesses and similar purposes, in Civil, Revenue and Criminal cases and on account of process-fees levied under section 36 of the Indian Registration Act.

(*b*) Fees received by Government servants appointed Notaries Public under Act XXVI of 1881, and utilized to defray legal expenses incurred by them in the discharge of their duties as such Notaries Public.

(*c*) Collections in Government hospitals for making refunds, if any, due to patients leaving the hospitals.

(*d*) Departmental receipts in the Laccadives (including Malabar Islands) and Minicoy Islands to meet expenditure on establishments, and departmental receipts in the Amindivi Islands to meet expenditure in the islands.

(*e*) Cash receipts in the Public Works Department and the Electricity Department to defray expenditure on current works, or to defray pay and travelling allowance charges under the authorization of the Accountant-General.

(*f*) Collections of the Sub-Registry office at Talavadi in the Coimbatore district for disbursing the pay of the Sub-Registrar and of his establishment.

(*g*) Receipts in the collection depot in the charge of the Deputy Tahsildar, Puttur, in the Chittoor district for disbursing the pay, travelling allowance and contingencies of the Deputy Tahsildar and his establishment and of the pay of the village officers within his jurisdiction.

(*h*) Village collections for disbursing the pay of village officers and allowances to temples, etc.

(*i*) Cash transactions in the office of the Deputy Tahsildar of Anjengo in the Tinnevelly district.

(*j*) Departmental receipts in the two Deputy Tahsildars' divisions of Chodavaram and Yellavaram in the Godavari Agency for payment of establishment charges.

(*k*) Cash found on the persons of prisoners at the time of their admission to jail, and used for the repayment by Jail Superintendents under departmental regulations of similar sums due to other prisoners on their release.

(*l*) Cash received by the Forest department and utilized in meeting immediate local expenditure

(m) Cattle-pound receipts to meet feeding charges, disbursements of commission to pound-keepers, expenses connected with the sale of cattle and money order commission, in accordance with rules in authorized codes,

(n) Value of stamps issued to licensed stamp-vendors to pay discount due to them.

Provided that the authority hereby given to appropriate departmental receipts for departmental expenditure shall not be construed as authority to keep the departmental receipts and expenses defrayed therefrom outside the account of the payments into and the withdrawals from the Public Account.

8. Moneys received by a Government servant whether in an official or another capacity which do not relate to or form part of the revenues of the Province shall not be included in the Public Account, and a Government servant is not required to pay into the Public Account any such moneys. If any question arises whether moneys are or are not moneys relating to or forming part of the revenues of the Province, the question shall be referred to Government whose decision shall be final.

9. A Government servant may not, except with the special permission of the Government deposit in a bank moneys withdrawn from the Public Account under the provisions of section VII of these rules.

10. The procedure to be adopted by Government servants in paying into the Public Account moneys received as revenues of the Province and by the treasury and the Bank in receiving such moneys and granting receipts for them shall be such as may be prescribed by the Finance Minister after consultation with the Accountant-General. The procedure so prescribed shall, among other matters, contain provisions so as to secure that—

(i) any person paying money into the treasury shall present with it a memorandum (chalan) in such form, as may be prescribed, which will show clearly the nature of the payment and the person or Government servant on whose account it is made and will thus contain all the information necessary for the preparation of the receipt to be given in exchange and for the proper accounts classification of the credit and its allocation between governments and departments concerned;

(ii) at places where the money is to be deposited in the Bank, the memorandum or chalan referred to in clause (i) above, shall except, where otherwise provided, be presented to the Treasury Officer who shall enface it with an order to the Bank to receive the money and to grant a receipt;

(iii) if a cheque on a bank is accepted in payment of Government dues under any rules, a receipt for the actual cheque only shall be given, but the formal receipt for payment shall not be delivered until the cheque has been accepted by the bank on which it is drawn; and

(iv) at places where the money is to be deposited in the Bank, the advices of receipts, which according to any provision made under this rule have to be sent to public officers or departments and consolidated receipts or certificates of receipts required by any such provision to be given to any public officer or department, shall be given by the treasury and not by the Bank.

SECTION VI—CUSTODY OF MONEYS STANDING IN THE PUBLIC ACCOUNT.

11. (1) The procedure for the safe custody of moneys in the treasury shall be as prescribed by the Finance Minister after consultation with the Accountant-General.

(2) The Bank is responsible for the safe custody of Government moneys deposited in the Bank.

SECTION VII—WITHDRAWAL OF MONEYS FROM THE PUBLIC ACCOUNT.

Definition.

12. In this section " withdrawal " with its cognate expressions refers to the withdrawal of funds from the Public Account for disbursements of or on behalf of the Province other than disbursements in the United Kingdom.

General rule.

13. Unless the Finance Minister, after consultation with the Accountant-General, otherwise directs in any case moneys may not be withdrawn from the Public Account without the written permission of the Treasury Officer or of an officer of the Indian Audit Department authorized in this behalf by the Accountant-General.

Power of an Accountant-General.

14. The Accountant-General may permit withdrawal for any purpose.

15. (a) Subject as hereinafter provided in this section a Treasury Officer may permit withdrawal for all or any of the following purposes, namely :—

(i) To pay sums due from the Government to the drawing officer;

(ii) to provide the drawing officer with funds to meet claims likely to be presented against the Government in the immediate future by—

(1) other Government servants or

(2) private parties;

(iii) to enable the drawing officer to supply funds to another Government servant from which to meet similar claims;

(iv) to pay direct from the Treasury or from the Bank sums due by Government to a private party; and

(v) in the case of an officer or authority empowered to make investments of moneys standing in the Public Account for the purpose of such investment

(b) Unless expressly authorized by the Accountant-General, a Treasury Officer shall not permit withdrawal for any purpose not specified in clause (a) of this rule.

16. Except as provided in rules 26 and 27 a Treasury Officer shall not permit withdrawal for any purpose unless the claim for withdrawal is presented by such person and in such form, and has been satisfactorily submitted by the Treasury Officer to such checks, as the Finance Minister, after consultation with the Accountant-General, may prescribe. The procedure so prescribed shall, among other matters, contain provisions so as to secure—

(i) that any person having a claim against Government shall present his voucher at the Treasury duly receipted, and stamped where necessary, and that unless otherwise specially provided no such claim shall be paid unless the claim is first submitted to, and the payment directed by, the Treasury Officer;

(ii) that where sub-treasuries are specially permitted by the Government to cash certain classes of bills without reference to the Treasury Officer, the payment of such bills shall not, except under special arrangements and on particular occasions, be allowed at the district treasury also; and

(iii) that all bills and vouchers on which payment is made by the Treasury Officer or which are enfaced by him for payment at the Bank or a sub-treasury shall show to what head of account the payment is to be debited, how the amount of the payment is to be allocated between Governments or departments, and what amount, if any, appertains to the revenues of the Central Government or the Federation.

Special Instructions to Treasury Officers.

17. A Treasury Officer has no general authority to make payments on demands presented at the treasury, his authority being strictly

limited to the making of payments authorized by or under these rules. If a demand of any kind is presented at a treasury for a payment which is not authorized by or under these rules, or is not covered by a special order received from the Accountant-General, the Treasury Officer shall decline payment for want of authority. A Treasury Officer has no authority to act under an order of Government sanctioning a payment, unless the order is an express order to *him* to make the payment, and even such special orders should, in the absence of urgency, be sent through the Accountant-General.

18. A Treasury Officer shall not honour a claim which he considers to be disputable. He shall require the claimant to refer it to the Accountant-General.

19. Except as provided by rules 20 and 21 a payment shall unless Government by general or special order otherwise directs be made in the district in which the claim arises.

20. The leave salary of a gazetted Government servant who draws his leave salary in India, may be paid in any district of the Province. The leave salary of a non gazetted servant may be paid in that district only in which his pay could be drawn if he were on duty.

21. Pensions payable in India may be paid in any district of the Province.

22. No withdrawal shall be permitted in order to meet the pay, leave salary or allowances of a gazetted Government servant, or a reward or honorarium payable to a gazetted Government servant or any pension until the Accountant-General has intimated to the Treasury Officer the rate at which payment shall be made, provided that the Government may, for special reasons and with the concurrence of the Accountant-General, waive the provisions of this rule.

23. No withdrawal shall be permitted on a claim for the first of any series of payments in a district of pay or allowances to a Government servant other than a person newly appointed to Government service, unless the claim is supported by a last pay certificate in such form as may be prescribed by the Auditor-General of India. A Treasury Officer may not permit any withdrawal in respect of pay or allowances of a Government servant to whom he has granted a last-pay certificate, unless the certificate is first surrendered.

24. The Treasury Officer shall be responsible to the Accountant-General for acceptance of the validity of a claim against which he has permitted withdrawal and for evidence that the payee has actually received the sum withdrawn.

25. The Treasury Officer shall obtain sufficient information as to the nature of every payment he is making and shall not accept a voucher which does not formally present that information unless there are valid reasons, which he shall record in writing for omitting to require it.

26. A Treasury Officer may correct an arithmetical inaccuracy or an obvious mistake in any bill presented to him for payment, but shall intimate to the drawing officer any correction which he makes.

Payments under special authorization of the Collector.

27. A Collector may, in circumstances of urgency, by an order in writing authorize and require a Treasury Officer to make a payment, not being a payment of pension, without complying with the provisions of these rules. In any such case the Collector shall at once forward a copy of his order and a statement of the circumstances requiring it, and the Treasury Officer shall at once report the payment, to the Accountant-General.

Instructions to drawing officers.

28. A Government servant who is authorized to draw moneys by means of cheques shall notify to the Bank or the Treasury upon which he draws the number of each cheque book brought into use and the number of cheques it contains.

29. When a Government servant who is authorized to draw or countersign cheques or bills payable at the treasury or the Bank

makes over charge of his office to another, he shall send a specimen of the relieving Government servant's signature to the Treasury Officer or the Bank, as the case may be.

SECTION VIII—TRANSFER OF MONEYS STANDING IN THE PUBLIC ACCOUNT.

30. The transfer of Government moneys from one treasury to another, and between the currency chest balance and treasury balance of a treasury and between a treasury and the Bank shall be governed by such instructions as may be issued in this behalf by the Finance Minister after consultation with the Reserve Bank of India The transfer of moneys from or to a Small Coin Depot to or from a Treasury under the control of the Government of the Province shall be governed by instructions issued by the Governor-General in this behalf.

SECTION IX—RESPONSIBILITY FOR MONEYS WITHDRAWN.

Treasury Officer.

31. If a Treasury Officer receives intimation from the Accountant-General that moneys have been incorrectly withdrawn and that a certain sum should be recovered from a drawing officer, he shall effect the recovery without delay and without regard to any correspondence undertaken or contemplated with reference to the retrenchment order; and the drawing officer shall without delay repay the sum in such manner as the Accountant-General may direct.

Drawing Officers.

32. (a) A Government servant supplied with funds for expenditure shall be responsible for such funds until an account of them has been rendered to the satisfaction of the Accountant-General. He shall also be responsible for seeing that payments are made to persons entitled to receive them.

(*b*) If any doubt arises as to the identity of the Government servant by whom an account of such funds shall be rendered, it shall be decided by the Government.

SECTION X—INTER-GOVERNMENT TRANSACTIONS.

33. (1) Save as provided hereafter in this *section* no transactions of the Province with another Government shall be adjusted against the balance of the Province except in accordance with such directions as may be given by the Auditor-General of India with the approval of the Governor-General to regulate the procedure for the accounting of transactions between different Governments.

(2) Moneys presented within the jurisdiction of another Government for credit to the Public Account or a payment made by another Government as a withdrawal affecting the balance of the Public Account shall not be credited or debited to the Public Account except under express authority of the Accountant-General of the receiving or the paying Government concerned or any other Accounting Officer authorized in this behalf by the Auditor-General of India.

(3) All adjustments against the balance of the Province by debit or credit to another Government shall be made through the Central Accounts Office of the Reserve Bank of India.

34. Where such a course is authorized in consequence of a delegation of functions made under sub-section (1) of section 124 of the Act, the Treasury Officer may receive or authorize the Bank to receive moneys tendered on behalf of the Central Government or the Federation, and may make or authorize the Bank to make disbursements on behalf of the Central Government or the Federation in accordance with such procedure as may be specified in the rules made by or under the authority of the Governor General Such receipts and disbursements on behalf of the Central Government or the Federation shall be adjusted, as far as practicable, directly against the balance of the Central Government or the Federation held by the Bank, but where such transactions are temporarily taken into account against the balance of the Public Account, the Accountant-General will on receipt of intimation from

the treasury make the requisite adjustments in respect of the aforesaid transactions through the Central Accounts Office of the Reserve Bank of India, against the balances in the Public Account of the Central Government or the Federation held by the Bank.

35. The Treasury Officer may, subject to any general or specific direction of the Government in this behalf, receive or authorize the Bank to receive moneys tendered on behalf of another Province and may, if so required by the Accountant-General, make or authorize payment of any claim against another Province. The necessary credits or debits in respect of such receipts and payments against the balances of the Province concerned shall be made by the Accountant-General through the Central Accounts Office of the Reserve Bank of India, but until such adjustments are made, the credits and debits shall be entered in the Public Account.

Moneys paid or received in the office of the Accountant General on behalf of another Province, and book entries made in the office of the Accountant-General affecting the accounts of another Province shall likewise be adjusted by the Accountant-General through the Central Accounts Office of the Reserve Bank of India against the balances of the Province concerned.

36. The provisions of the preceding rule may be extended with or without modification to payments made or received in the Province on behalf of the Federal Railway Authority or of His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States

SECTION XI—RECEIPTS AND DISBURSEMENTS OF THE PROVINCE IN THE UNITED KINGDOM.

37. Until other provision is made by the Government in this behalf, moneys received in the United Kingdom on account of the revenues of the Province may be paid into, and funds required for disbursements of or on behalf of the Province in that country may be withdrawn from, the balances in the Public Account of the Central Government or the Federation in that country, in accordance with such procedure as may be prescribed by or under the authority of the Governor-General for the transactions of the Central Government or the Federation in the United Kingdom. These transactions shall be adjusted in India, at the earliest opportunity, against the balances of the Public Account according to such directions as may be given in this behalf by the Auditor-General of India with the approval of the Governor-General.

SECTION XII—SUPPLEMENTAL.

38. The Accountant-General in the exercise of any of his functions under these rules shall be subject to the general control of the Auditor-General of India.

39. Nothing in these rules, and nothing prescribed under these rules, shall have effect so as to impede or prejudice the exercise by the Auditor-General of India of the powers vested in him by or under the Act, to make rules, or to give directions regulating the submission to the Indian Audit Department of the accounts kept in treasuries or in departmental offices and to be accompanied by such vouchers for their support as the Auditor-General may require for purposes of audit.

40. The Finance Minister may not exercise any power conferred upon him by these rules so as to impose upon the Bank in connexion with the business of the Government any responsibility not imposed upon the Bank by the terms of its agreement with the Governor.

Fort St. George, April 1, 1937
(G.O. No. 128, Finance).

No. 32.—In exercise of the powers conferred by sub-paragraph (2) of paragraph 13 of the Government of India (Audit and Accounts) Order, 1936, His Excellency the Governor is pleased, after consultation with the Auditor-General of India, to make the following regulations.

REGULATIONS.

1. The Auditor-General of India shall audit all such receipts and accounts of stores and stock of the different departments of the Government of Madras as have hitherto been audited by him.

2. The Auditor-General of India shall continue to conduct such audits in accordance with such rules and principles as have hitherto been in force

C. E. JONES,
Secretary to Government.

MADRAS: PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Registered No. M-1.

THE FORT ST. GEORGE GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 9] MADRAS, THURSDAY, APRIL 1, 1937 [PRICE, 6 *pies*.

PUBLIC DEPARTMENT.
(Special.)

NOTIFICATIONS.

Fort St George, April 1, 1937
[*G.O. Ms. No.* 651, *Public* (*Special*)].

No. 78.—On his relinquishment of the office of Member of the Executive Council of the Governor of Madras by the Hon'ble Rai Bahadur Sir Kurma Venkata Reddi Nayudu, Knight Commander of the Most Eminent, Order of the Indian Empire, consequent upon the inauguration of Provincial Autonomy, His Excellency the Governor desires to place on record his high appreciation of the services rendered to the State by the Hon'ble Sir Kurma Venkata Reddi Nayudu during his term of office as Member of Council for a period of about three years which was signalized by his appointment as acting Governor of Madras for about three and a half months.

Fort St. George, April 1, 1937
[*G.O. Ms. No.* 652, *Public* (*Special*)].

No. 79.—On his relinquishment of the office of Member of the Executive Council of the Governor of Madras by the Hon'ble Rao Bahadur A. T. Pannirselvam, consequent upon the inauguration of Provincial Autonomy, His Excellency the Governor desires to place on record his high appreciation of the services rendered to the State by the Hon'ble Rao Bahadur A. T. Pannirselvam during his term of office as Member of Council for about three years.

Fort St. George, April 1, 1937
[*G.O. Ms. No.* 653, *Public* (*Special*)].

No. 80.—On his relinquishment of the office of Member of the Executive Council of the Governor of Madras by the Hon'ble Sir Charles Souter, Knight Commander of the Most Eminent Order of the Indian Empire, Companion of the Most Exalted Order of the Star of India, consequent upon the inauguration of Provincial Autonomy, His Excellency the Governor desires to place on record his high appreciation of the services rendered to the State by the Hon'ble Sir Charles Souter during the past 35 years in the course of which he has filled with marked efficiency and conspicuous success many high and responsible offices. His ripe experience has been of inestimable value to the Government.

Fort St. George, April 1, 1937
[*G O. Ms. No.* 654, *Public* (*Special*)].

No. 81.—On his relinquishment of the office of the Member of the Executive Council of the Governor of Madras by the Hon'ble Sir Geoffrey Bracken, Knight Commander of the Most Eminent Order of the Indian Empire, Companion of the Most Exalted Order of the Star of India, consequent upon the inauguration of Provincial Autonomy, His Excellency the Governor desires to place on record his high appreciation of the services rendered to the State by the Hon'ble Sir Geoffrey Bracken during the past 33 years and in particular to acknowledge the assiduous care and high degree of ability which he has shown in guiding the financial policy of the Government and in directing the volume of business preliminary to the inauguration of the New Constitution

(By order of His Excellency the Governor)

C. F. BRACKENBURY,
Chief Secretary.

FINANCE DEPARTMENT.

NOTIFICATIONS

Fort St. George, April 1, 1937
(*G O. No* 125, *Finance*).

No. 32.—

With reference to the provisions of the Madras Treasury Rules issued by His Excellency the Governor, under section 151 of the Government of India Act, 1935, with Notification No. 31, dated 1st April 1937, the Finance Minister hereby directs that the following rules relating to detailed treasury procedure in the Madras Financial and Account Code and in the Madras Treasury Code shall continue in force, except to the extent that they are inconsistent with the provisions of the Government of India Act, 1935, and the rules issued thereunder, until they are replaced by revised rules:—

The Madras Treasury Rules.	*Detailed rules of treasury procedure.*
Rules 6 (2) and 5 ..	Articles 6-4 of the Madras Treasury Code excluding the reference to Appendices 6 and 7
Rule 6 (3)	Articles 13-16-A of the Madras Treasury Code.
Rule 6 (4)	Note under Article 19 of the Madras Treasury Code.
Rule 10	Articles 2 to 25 Note 1 and second paragraph of Note 2 to Article 26, 27 (a) 28 2-56, 230 (except as a rule relating to account matters), 232, 233 and 240 of the Madras Treasury Code and Articles 16 (a), 18 (c), 20, 27, 29 (Note excepting reference to Article 204 of the Civil Account Code, Volume II), 62, 85 (a) 220, 307, 308 316 and 372 (first and last sentence of second paragraph) of the Madras Financial and Account Code, Volume I.
Rule 11	Articles 36-60 of the Madras Treasury Code.
Rule 18	Articles 68 [illegible], 70, 72, 76, 77, 78-A to F, 78-F to M, 85, 87, 90, 105, 106 (a), 108, 109 111 (a), 112, 116, 117, 118-A, 162, 164 to 167, 173, 176, 262, 264 (a), 264 (b), 284 (c) (first paragraph and the note thereto (2 articles)), 285-D, 294 to 296, 245, 246, 248 to 250, 252, 253 and Forms 24a Madras Treasury Code; and Articles 91 (a), 4—10-A, 68, 109-111 to 111, 113-A, 114 122, 126-A 129-129, 131 137, 139, 139-A, 139-A to 139, 156, [illegible] 1 and 2 paragraph), 164, 165, 167 172, 177-179 183, 184 (1), 185, 185 A (2) (second paragraph) 211, 212-223 [illegible], 227 (c) and (d), 276-285-A, 288-289, 290, 290, 297, 303, 304, 309, portions relating to withdrawal of moneys in Articles 308 and 310 articles 320 to 33 353, 367, 368, 372 (first and last sentence of second paragraph), 378 to 380 of the Madras Financial and Account Code, Volume I.
Rule 20	Notes under Article 56, Articles 128-130, 136-146, 148-157, 243-244 and 256 of the Madras Treasury Code, and Articles 329-338 of the Madras Financial and Account Code, Volume I.

Fort St. George, April 1, 1937
(*G O No.* 126, *Finance*).

No. 34 —

With reference to rule 20 of the Madras Treasury Rules issued by His Excellency the Governor, under section 151 of the Government of India Act, 1935, with Notification No. 31, dated 1st April 1937 the Finance Minister hereby directs that the provisions of the Resource Manual of the Government of India be adopted in general to govern the procedure to be followed at Government treasuries in the Province of Madras in connexion with the movement of funds, the custody and remittance of treasure, etc., except in so far as they may have been modified by specific orders, e.g., in regard to normal balances for treasuries and monthly and weekly Cash Balance Reports.

Fort St. George, April 1, 1937 (*G.O. No.* 127, *Finance*).

No. 33 —

The Government hereby direct that the rules in the Madras Financial and Account Code, the Madras Treasury Code, the Madras Budget Manual, the Madras Book of Financial Powers, the Public Works Department and Account Codes, the Forest Department and Account Code and other departmental Codes and the subsidiary orders issued thereon from time to time regulating the financial powers of the various departments and the officers subordinate to them, the accounts to be maintained by them, and the financial procedure to be observed in the collection of revenues and the expenditure of public money, shall continue in force, except to the extent that they are inconsistent with the provisions of the Government of India Act, 1935, and the rules issued thereunder, until they are replaced by revised rules.

C. E. JONES,
Secretary to Government.

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